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<p style="text-align: right;">Page 1</p> <p>UNITED STATES DISTRICT COURT SOUTHERN DISTRICT DISTRICT OF NEW YORK -----X FARAH JEAN FRANCOIS, PLAINTIFF, -against- Case No.: 1:22-CV-4447JSB VICTORY AUTO GROUP LLC d/b/a VICTORY MITSUBISHI, SPARTAN AUTO GROUP LLC d/b/a VICTORY MITSUBISHI, STAVROS ORSARIS, YESSICA VALLEJO, DAVID PEREZ, DIANE ARGYROPOULOS, and PHILIP ARGYROPOULOS, DEFENDANTS. -----X DATE: December 22, 2022 TIME: 11:09 A.M. DEPOSITION of the Non-Party Witness, PAPITO VLADIMIR MOMPLAISIR, taken by the Defendant, pursuant to a Court Order and to the Federal Rules of Civil Procedure, held via Zoom conference call, before Endi Sheri, a Notary Public of the State of New York.</p>	<p style="text-align: right;">Page 3</p> <p>1 2 FEDERAL STIPULATIONS 3 4 IT IS HEREBY STIPULATED 5 AND AGREED by and between (among) counsel 6 for the respective parties herein, that 7 filing and sealing be and the same are 8 hereby waived. 9 10 IT IS FURTHER STIPULATED 11 AND AGREED that all objections, except as 12 to the form of the question, shall be 13 reserved to the time of the trial. 14 15 IT IS FURTHER STIPULATED 16 AND AGREED that the within deposition may 17 be sworn to and signed before any officer 18 authorized to administer an oath, with the 19 same force and effect as if signed and 20 sworn to before the Court. 21 * * * * 22 23 24 25</p>
<p style="text-align: right;">Page 2</p> <p>1 2 APPEARANCES: 3 4 THE LAW OFFICE OF AHMAD KESHAVARZ Attorneys for the Plaintiff 5 FARAH JEAN FRANCOIS 16 Court Street, #2600 6 Brooklyn, New York 11241 BY: AHMAD KESHAVARZ, ESQ. Ahmad@NewYorkConsumerAttorney.com 7 8 NICHOLAS GOODMAN & ASSOCIATES PLLC Attorneys for the Defendants 9 VICTORY AUTO GROUP LLC d/b/a 10 VICTORY MITSUBISHI, SPARTAN AUTO GROUP LLC d/b/a 11 VICTORY MITSUBISHI, STAVROS ORSARIS, YESSICA VALLEJO, 12 DAVID PEREZ, DIANE ARGYROPOULOS, and PHILIP ARGYROPOULOS, 13 333 Park Avenue South, Ste 3A New York, New York 10010 14 BY: NICHOLAS GOODMAN, ESQ. Ngoodman@ngoodmanlaw.com 15 16 * * * 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 2 VIDEO STIPULATIONS. 3 4 5 IT IS HEREBY STIPULATED AND AGREED by and 6 between counsel for all parties present 7 that this deposition is being conducted by 8 Videoconference, that the Court Reporter, 9 all counsel, and the witness are 10 all in separate remote locations and 11 participating via Videoconference 12 (LegalView/Zoom/WebEx) meeting 13 under the control of Lexitas Court 14 Reporting Service, that the officer 15 administering the oath to the witness need 16 witness shall be sworn in remotely by the 17 Court Reporter after confirming the 18 witness's identity, that this 19 Videoconference will not be recorded in 20 any manner, and that any recording without 21 the express written consent of all parties 22 shall be considered unauthorized, in 23 violation of law, and shall not be used for 24 any purpose in this litigation or 25 otherwise.</p>

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<p style="text-align: right;">Page 5</p> <p>1 2 IT IS FURTHER STIPULATED that exhibits may 3 be marked by the attorney presenting the 4 exhibit to the witness, and that a copy of 5 any exhibit presented to a witness shall be 6 emailed to or otherwise in possession of 7 all counsel prior to any questioning 8 of a witness regarding the exhibit in 9 question. All parties shall bear their own 10 costs in the conduct of this deposition by 11 Videoconference. 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 7</p> <p>1 P. MOMPLAISIR 2 When was that? 3 A. Maybe 20-something years ago. 4 Maybe 25, 30 years ago. A long, long, long 5 time ago. 6 Q. What was the context of that? 7 What was that about? 8 A. I had an accident. 9 Q. Okay. 10 Was that deposition in 11 New York? 12 A. In New York, yes. 13 Q. Okay. 14 You were the plaintiff in a 15 case, you sued somebody? 16 A. Yes. 17 Q. Okay. 18 In that case you gave testimony 19 under oath, similar to what we are doing 20 here today? 21 A. Not on Zoom. We didn't have 22 Zoom on that time. 23 Q. Well, those were the days, huh? 24 A. Yeah. 25 Q. Yeah. So I'll change. So let</p>
<p style="text-align: right;">Page 6</p> <p>1 P. MOMPLAISIR 2 P A P I T O V L A D I M I R 3 M O M P L A I S I R, called as a witness, 4 having been first duly sworn by a Notary 5 Public of the State of New York, was 6 examined and testified as follows: 7 EXAMINATION BY 8 MR. GOODMAN: 9 THE COURT REPORTER: Please 10 state your name for the record. 11 THE WITNESS: Papito Vladimir 12 Momplaisir. 13 THE COURT REPORTER: Please 14 state your address. 15 THE WITNESS: 145th West, Apt. 16 8, New York, New York 10026. 17 Q. Good morning, Mr. Momplaisir. 18 I hope I'm pronouncing that correctly. My 19 name is Nicholas Goodman. I represent the 20 defendants in the case that were sued by 21 Farah Jean Francois. 22 Have you ever been deposed 23 before? 24 A. Yes. 25 Q. Okay.</p>	<p style="text-align: right;">Page 8</p> <p>1 P. MOMPLAISIR 2 me ask you some preliminary questions. You 3 know something about it if you remember 4 from 25, 30 years ago. 5 First of all, is English your 6 native language? 7 A. No, it's not. 8 Q. What is? 9 A. Creole-French. Creole and 10 French. 11 Q. Okay. 12 Do you have any trouble 13 understanding me so far today? 14 A. No. I speak good English. 15 Q. Okay. 16 Have you taken any medications 17 in the last 24 hours? 18 A. None whatsoever. 19 Q. Okay. 20 Consumed any alcohol in the 21 last 24 hours? 22 A. I do not drink. 23 Q. Any recreational drugs in the 24 last 24 hours? 25 A. I do not drink or smoke or do</p>

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<p style="text-align: right;">Page 9</p> <p>1 P. MOMPLAISIR</p> <p>2 any drugs.</p> <p>3 Q. Okay.</p> <p>4 So some rules of the</p> <p>5 deposition, you may remember from when you</p> <p>6 did it when you had your accident case.</p> <p>7 You have to answer every question out loud.</p> <p>8 The court reporter cannot take down</p> <p>9 gestures, nods of the head and so forth.</p> <p>10 Do you understand that?</p> <p>11 A. Yes, I understand.</p> <p>12 Q. Okay.</p> <p>13 If you don't understand a</p> <p>14 question it's really important that you</p> <p>15 tell us, tell me or Mr. Keshavarz, in that,</p> <p>16 if he's asking the question that you don't</p> <p>17 understand the question. Okay?</p> <p>18 A. Got you.</p> <p>19 Q. Do you understand that?</p> <p>20 A. Understand.</p> <p>21 Q. Would you agree that if you</p> <p>22 answer a question without telling us that</p> <p>23 you did not understand the question, that</p> <p>24 it will be reasonable to assume that you</p> <p>25 did understand the question?</p>	<p style="text-align: right;">Page 11</p> <p>1 P. MOMPLAISIR</p> <p>2 question and when you answer.</p> <p>3 Objection to the form of the</p> <p>4 question. You don't need to worry</p> <p>5 about what that means. Objection to</p> <p>6 the form of the question. Go ahead.</p> <p>7 MR. GOODMAN: Okay.</p> <p>8 Q. Well, you want her to win her</p> <p>9 case, correct?</p> <p>10 MR. KESHAVARZ: Objection to</p> <p>11 form.</p> <p>12 Q. You can answer.</p> <p>13 A. I don't know what you mean by</p> <p>14 that.</p> <p>15 Q. Well, do you believe that your</p> <p>16 testimony will assist your niece, Farah</p> <p>17 Jean Francois to prevail, to win in her</p> <p>18 lawsuit?</p> <p>19 MR. KESHAVARZ: Objection to</p> <p>20 form.</p> <p>21 Q. You can answer.</p> <p>22 A. I really don't understand what</p> <p>23 you mean. Can you rephrase your question</p> <p>24 please?</p> <p>25 Q. You want her to win the case,</p>
<p style="text-align: right;">Page 10</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Understand you.</p> <p>3 Q. Okay.</p> <p>4 Also, you can take a break at</p> <p>5 any time. I don't expect to be too long.</p> <p>6 But this is not a marathon, so you know, if</p> <p>7 you need the bathroom or a glass of water</p> <p>8 or something just let us know. Okay?</p> <p>9 A. Okay. Perfect. That's good.</p> <p>10 Q. All right.</p> <p>11 Just tell me what is your</p> <p>12 understanding of why you're here today?</p> <p>13 A. I'm here because I went with my</p> <p>14 niece to a dealer, because she -- someone</p> <p>15 bought a car using her credit and bought a</p> <p>16 car under her name.</p> <p>17 Q. Okay.</p> <p>18 Would you agree with me that</p> <p>19 you're here today to help her with her</p> <p>20 case, your niece?</p> <p>21 MR. KESHAVARZ: Objection to</p> <p>22 form.</p> <p>23 A. I'm here today --</p> <p>24 MR. KESHAVARZ: Wait, wait,</p> <p>25 just pause for a second between the</p>	<p style="text-align: right;">Page 12</p> <p>1 P. MOMPLAISIR</p> <p>2 don't you?</p> <p>3 MR. KESHAVARZ: Objection to</p> <p>4 form.</p> <p>5 Q. You can answer.</p> <p>6 A. I don't know if I want her to</p> <p>7 win. I want her out -- I want her to be</p> <p>8 out of debt, you know, not to have this</p> <p>9 debt.</p> <p>10 Q. Well, what is the debt that you</p> <p>11 understand she has?</p> <p>12 A. She has -- somebody bought a</p> <p>13 car under her name. All of those things</p> <p>14 are in her credit. Her credit is messed</p> <p>15 up.</p> <p>16 Q. Yeah. How is her credit messed</p> <p>17 up? What's your understanding of how her</p> <p>18 credit is messed up?</p> <p>19 A. This is what I understand.</p> <p>20 What I understand is that someone bought a</p> <p>21 car, went to a dealer without her knowing</p> <p>22 and bought a car under her name. And it's</p> <p>23 under her name. Either way you put it,</p> <p>24 somebody used her ID and buy a car, you</p> <p>25 know? You know, here, if you don't have</p>

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<p style="text-align: right;">Page 13</p> <p>1 P. MOMPLAISIR</p> <p>2 credit you don't have anything.</p> <p>3 Q. Right.</p> <p>4 A. When you owe a lot of money,</p> <p>5 that's really hard.</p> <p>6 Q. Okay.</p> <p>7 Do you believe that she owes a</p> <p>8 lot of money on that car?</p> <p>9 A. I don't believe -- not really</p> <p>10 her, whomever. You know, why does she have</p> <p>11 to pay for something she didn't do?</p> <p>12 Q. What is she paying for that she</p> <p>13 didn't do?</p> <p>14 A. I mean, you know, when you owe</p> <p>15 the money, either way you look at it the</p> <p>16 money has to be paid.</p> <p>17 Q. Okay.</p> <p>18 A. BMW under your name.</p> <p>19 Q. Okay.</p> <p>20 A. You have to.</p> <p>21 Q. Do you believe that the BMW is</p> <p>22 still under her name today?</p> <p>23 A. I do not know.</p> <p>24 Q. Do you know the amount of money</p> <p>25 that she -- that you think that she owes</p>	<p style="text-align: right;">Page 15</p> <p>1 P. MOMPLAISIR</p> <p>2 money, and you believe that your testimony</p> <p>3 will help her get out of that debt, is that</p> <p>4 fair?</p> <p>5 MR. KESHAVARZ: Objection,</p> <p>6 form.</p> <p>7 Q. You can answer.</p> <p>8 A. I really tell you that -- the</p> <p>9 only thing I could tell you is, if she --</p> <p>10 if someone, even the dealer needs to pay</p> <p>11 the debt for her to have no debt. That's</p> <p>12 the only way, you know, that she could do</p> <p>13 something. I don't -- I really don't</p> <p>14 understand what you're trying to get at.</p> <p>15 But to me, it's the same question you keep</p> <p>16 asking.</p> <p>17 Q. Well, I'm not getting an</p> <p>18 answer, that's the problem. So she's your</p> <p>19 niece, correct? Right?</p> <p>20 A. Mh-hm. Mh-hm.</p> <p>21 Q. You have to say yes.</p> <p>22 A. Yes.</p> <p>23 Q. Okay.</p> <p>24 You don't want your niece to be</p> <p>25 in debt, do you?</p>
<p style="text-align: right;">Page 14</p> <p>1 P. MOMPLAISIR</p> <p>2 when you say she has a debt?</p> <p>3 A. I know -- I'm not sure exactly</p> <p>4 how much money, but I know it's a lot of</p> <p>5 money. I don't remember the numbers. I --</p> <p>6 I -- that was a long time ago. That was in</p> <p>7 2020.</p> <p>8 Q. Okay.</p> <p>9 So you believe that your</p> <p>10 testimony today will help her get out of</p> <p>11 the debt that you think she has, correct?</p> <p>12 MR. KESHAVARZ: Objection to</p> <p>13 the form of the question. Go ahead.</p> <p>14 Q. You can answer.</p> <p>15 A. I don't know how to answer you</p> <p>16 because is it really -- that's not really</p> <p>17 her debt, but it's under her name. You</p> <p>18 know, let's say somebody bought a car under</p> <p>19 your name, and you don't know anything</p> <p>20 about it. How will you feel?</p> <p>21 Q. Okay. Well, I'm not here to</p> <p>22 answer your questions. It really goes the</p> <p>23 other way.</p> <p>24 But my question to you is, you</p> <p>25 believe that she has a debt that she owes</p>	<p style="text-align: right;">Page 16</p> <p>1 P. MOMPLAISIR</p> <p>2 MR. KESHAVARZ: Objection,</p> <p>3 form.</p> <p>4 Q. You can answer.</p> <p>5 A. Nobody wants to be in debt sir.</p> <p>6 Q. Well, I'm asking you, the</p> <p>7 straight question I'm asking you is, you</p> <p>8 don't want your niece to be in debt, do</p> <p>9 you?</p> <p>10 MR. KESHAVARZ: Objection,</p> <p>11 form.</p> <p>12 Q. You can answer.</p> <p>13 A. Okay. Well, I wouldn't like</p> <p>14 her to be in debt, of course. No one --</p> <p>15 you will not wish any of those things on no</p> <p>16 one.</p> <p>17 Q. Okay.</p> <p>18 And if you can help her get out</p> <p>19 of debt, you will do that, correct?</p> <p>20 A. No, I wouldn't do that.</p> <p>21 MR. KESHAVARZ: Objection,</p> <p>22 form.</p> <p>23 A. I will tell the truth.</p> <p>24 Q. Okay. All right. Let me --</p> <p>25 what did you do -- tell us what you did to</p>

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<p style="text-align: right;">Page 17</p> <p>1 P. MOMPLAISIR</p> <p>2 prepare for your deposition, this testimony</p> <p>3 here today?</p> <p>4 MR. KESHAVARZ: Wait. He's not</p> <p>5 asking for what was said between us.</p> <p>6 It's just what did you do.</p> <p>7 MR. GOODMAN: Well, hold on a</p> <p>8 second Ahmad.</p> <p>9 Are you representing that you</p> <p>10 are counsel to representing</p> <p>11 Mr. Momplaisir as his attorney?</p> <p>12 MR. KESHAVARZ: For his</p> <p>13 deposition, yes.</p> <p>14 MR. GOODMAN: For his</p> <p>15 deposition, yes. Okay. I don't</p> <p>16 believe that creates a privilege</p> <p>17 issue, a privilege protection. But</p> <p>18 in any event, let's proceed.</p> <p>19 Q. Mr. Momplaisir, what -- did you</p> <p>20 review any documents in preparation for</p> <p>21 your deposition today?</p> <p>22 MR. KESHAVARZ: You can answer.</p> <p>23 Q. You can answer.</p> <p>24 A. Did I review any what?</p> <p>25 Q. Documents.</p>	<p style="text-align: right;">Page 19</p> <p>1 P. MOMPLAISIR</p> <p>2 more.</p> <p>3 Q. Okay.</p> <p>4 When you said you looked at the</p> <p>5 appointment you had with Mitsubishi, what</p> <p>6 did you look at specifically to see that</p> <p>7 appointment?</p> <p>8 A. It's in my phone. It was in my</p> <p>9 phone.</p> <p>10 Q. Okay.</p> <p>11 What is in your phone, was</p> <p>12 there a message?</p> <p>13 A. A message. A message.</p> <p>14 Q. Okay.</p> <p>15 What is your phone number?</p> <p>16 A. 917-865-2542.</p> <p>17 Q. Okay.</p> <p>18 That was your phone number in</p> <p>19 September of 2020?</p> <p>20 A. That was my phone number since</p> <p>21 1995.</p> <p>22 Q. Wow. Okay.</p> <p>23 Who is the provider, the</p> <p>24 carrier that provides your cell phone?</p> <p>25 That's a cell phone I understand, correct?</p>
<p style="text-align: right;">Page 18</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Like what?</p> <p>3 Q. I don't know like what. You</p> <p>4 have to tell me.</p> <p>5 Did you look at any papers in</p> <p>6 preparation for your deposition today?</p> <p>7 A. Papers, no.</p> <p>8 Q. Pardon?</p> <p>9 A. Papers, I did not look at any</p> <p>10 papers.</p> <p>11 Q. Okay.</p> <p>12 A. I look at -- I look at things</p> <p>13 that I -- things that I have on my phone</p> <p>14 that the -- the appointments and stuff like</p> <p>15 that.</p> <p>16 Q. Okay.</p> <p>17 So tell me everything you</p> <p>18 looked at, whether it was on your phone or</p> <p>19 whatever it was. You just said you looked</p> <p>20 at things, what were those things?</p> <p>21 A. The appointment that we had</p> <p>22 with Mitsubishi.</p> <p>23 Q. Okay.</p> <p>24 What else?</p> <p>25 A. A few pictures. That's it. No</p>	<p style="text-align: right;">Page 20</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Yes. That's a cell phone.</p> <p>3 Q. Who's the provider, Verizon,</p> <p>4 T-Mobile?</p> <p>5 A. Right now or before? At that</p> <p>6 time I think it was Sprint.</p> <p>7 MR. KESHAVARZ: It was what?</p> <p>8 THE WITNESS: Sprint.</p> <p>9 MR. GOODMAN: Sprint.</p> <p>10 THE WITNESS: Sprint Mobile.</p> <p>11 Q. That was September 2020, was</p> <p>12 Sprint?</p> <p>13 A. Yes. September 2020 was</p> <p>14 Sprint. Yes.</p> <p>15 Q. What is it now?</p> <p>16 A. Now, it's T-Mobile because</p> <p>17 Sprint bought T-Mobile. No, it's T-Mobile</p> <p>18 bought Sprint. Sorry.</p> <p>19 Q. Okay.</p> <p>20 So do you have your cell phone</p> <p>21 with you now?</p> <p>22 A. I'm using it right now to talk</p> <p>23 to you.</p> <p>24 Q. Oh. Okay. Can you -- I'm</p> <p>25 going to ask you to preserve what you say</p>

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<p>1 P. MOMPLAISIR</p> <p>2 you looked at to prepare for the</p> <p>3 deposition, that appointment with the</p> <p>4 dealership.</p> <p>5 A. Mh-hm.</p> <p>6 Q. Okay?</p> <p>7 A. Okay.</p> <p>8 Q. Are you talking, is there one</p> <p>9 message or more than one message that</p> <p>10 concerns this appointment?</p> <p>11 A. Maybe -- maybe one, maybe two.</p> <p>12 Not too many.</p> <p>13 Q. Okay.</p> <p>14 What were the dates of those</p> <p>15 appointments?</p> <p>16 A. Hold on one second. I have one</p> <p>17 on September 20, that they sent a message</p> <p>18 to -- no, that's not mine. September 24,</p> <p>19 2020.</p> <p>20 MR. KESHAVARZ: What was the</p> <p>21 month?</p> <p>22 THE WITNESS: September 24,</p> <p>23 2020 at 4:25 p.m.</p> <p>24 Q. Okay.</p> <p>25 Who did that come from?</p>	<p>1 P. MOMPLAISIR</p> <p>2 718-569-0078. Have a good day and I look</p> <p>3 forward to hearing from you. In the</p> <p>4 meantime you can take a look at our</p> <p>5 inventory. And she sent me like a link.</p> <p>6 Q. Had you previously sent any</p> <p>7 text message or email to Victory</p> <p>8 Mitsubishi?</p> <p>9 A. I don't think so. I think I've</p> <p>10 called them using my number and they have</p> <p>11 used that maybe to send a message back to</p> <p>12 me.</p> <p>13 Q. Okay.</p> <p>14 So when was it that you called</p> <p>15 using your number?</p> <p>16 A. I cannot remember exactly, the</p> <p>17 exact date because the -- you know, the --</p> <p>18 I'm not going to find that on my phone.</p> <p>19 But I remember I call before that.</p> <p>20 Q. Okay.</p> <p>21 Why did you call before that?</p> <p>22 A. Well, we were trying to get an</p> <p>23 appointment to see -- to find out what</p> <p>24 happened to her.</p> <p>25 Q. Okay.</p>
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<p>1 P. MOMPLAISIR</p> <p>2 A. I -- it says, my name is Amber</p> <p>3 at Victory Mitsubishi.</p> <p>4 Q. I'm sorry. Can you repeat</p> <p>5 that? My name is?</p> <p>6 A. Amber at Victory Mitsubishi.</p> <p>7 Q. What are you looking at right</p> <p>8 now Mr. Momplaisir? You're looking at</p> <p>9 something, what is it?</p> <p>10 A. I'm looking at my computer.</p> <p>11 Q. At your computer?</p> <p>12 A. Mh-hm.</p> <p>13 Q. Okay.</p> <p>14 So what is on your computer as</p> <p>15 opposed to what is on your phone --</p> <p>16 A. Same thing.</p> <p>17 Q. -- about this appointment?</p> <p>18 A. Same thing.</p> <p>19 Q. Okay.</p> <p>20 So September 24th 2020, my name</p> <p>21 is Amber at Victory Mitsubishi. What else</p> <p>22 does it say?</p> <p>23 A. I'm reaching out to you to see</p> <p>24 if you're still in the market for a</p> <p>25 vehicle. If you are, you could call me at</p>	<p>1 P. MOMPLAISIR</p> <p>2 So -- and, you don't have any</p> <p>3 record in your phone of that call --</p> <p>4 A. No.</p> <p>5 Q. -- that you made?</p> <p>6 A. It's two years ago sir.</p> <p>7 Q. Okay.</p> <p>8 How many times did you call to</p> <p>9 get the -- make the appointment?</p> <p>10 A. Two times.</p> <p>11 Q. Two?</p> <p>12 A. Mh-hm.</p> <p>13 Q. Okay.</p> <p>14 What you read to us that came</p> <p>15 in on September 24th, that -- well, I'll</p> <p>16 let it speak for itself on the record.</p> <p>17 Was that actually an</p> <p>18 appointment for you to come in?</p> <p>19 A. No.</p> <p>20 Q. Was that the same --</p> <p>21 A. No.</p> <p>22 Q. Okay. I'm sorry. Go ahead.</p> <p>23 A. I think that's a message that</p> <p>24 they send you after you call them or</p> <p>25 something. After they have your phone</p>

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<p style="text-align: right;">Page 25</p> <p>1 P. MOMPLAISIR</p> <p>2 number they send you those messages.</p> <p>3 Q. Right. I'm sorry.</p> <p>4 A. That --</p> <p>5 Q. I'm sorry.</p> <p>6 A. That's what my understanding</p> <p>7 is. You know, maybe after you went there</p> <p>8 or you talked to them, they sent you a</p> <p>9 message back.</p> <p>10 Q. That's like a solicitation,</p> <p>11 correct? They're trying to sell you a car?</p> <p>12 A. Yeah. But after you call</p> <p>13 that's what they call -- that's what they</p> <p>14 do.</p> <p>15 Q. Right.</p> <p>16 A. Maybe a robot call. Maybe --</p> <p>17 you know, I don't know what they do. I do</p> <p>18 not know.</p> <p>19 Q. Okay. That's fine.</p> <p>20 Did there come a time however</p> <p>21 that you actually received a message that</p> <p>22 you had an appointment at a specific day in</p> <p>23 time to come to the dealership?</p> <p>24 A. I kind of lost that. I don't</p> <p>25 know where. I did, but I don't know where</p>	<p style="text-align: right;">Page 27</p> <p>1 P. MOMPLAISIR</p> <p>2 going to get to the first time, etcetera.</p> <p>3 Have you now told us everything</p> <p>4 that you did in terms of looking at either</p> <p>5 documents -- you said you did not look at</p> <p>6 documents -- but messages or any other</p> <p>7 electronically stored information in</p> <p>8 preparation for this deposition?</p> <p>9 MR. KESHAVARZ: Objection to</p> <p>10 form.</p> <p>11 Q. You can answer.</p> <p>12 A. I looked at some pictures.</p> <p>13 Q. Okay.</p> <p>14 Well, other than pictures, have</p> <p>15 you told us everything else that you looked</p> <p>16 at?</p> <p>17 A. Pictures and the messages.</p> <p>18 That's it.</p> <p>19 Q. Okay.</p> <p>20 A. I don't have anymore thing. I</p> <p>21 don't -- I don't have all those</p> <p>22 information. You understand? I only know</p> <p>23 what I know.</p> <p>24 Q. No, I get it.</p> <p>25 Did you take any pictures of</p>
<p style="text-align: right;">Page 26</p> <p>1 P. MOMPLAISIR</p> <p>2 I have that.</p> <p>3 Q. Where was it when you had it,</p> <p>4 it was on your phone?</p> <p>5 A. It was on my phone, but you</p> <p>6 know, remember, I had to change phone. I</p> <p>7 had to change the carrier. I was looking</p> <p>8 for it. I couldn't find it.</p> <p>9 Q. Okay.</p> <p>10 Why were you looking for it?</p> <p>11 A. I was looking for it. I had to</p> <p>12 look for it.</p> <p>13 Q. Why did you have to look for</p> <p>14 it?</p> <p>15 A. Because when they ask questions</p> <p>16 I need know what to answer.</p> <p>17 Q. Okay.</p> <p>18 So in preparation for this</p> <p>19 deposition you went to your phone and</p> <p>20 looked for -- tell me what you looked for?</p> <p>21 A. I was looking for the</p> <p>22 appointment that I made because I was the</p> <p>23 one that made the appointment for Farah for</p> <p>24 the first time.</p> <p>25 Q. Okay. So all right. We are</p>	<p style="text-align: right;">Page 28</p> <p>1 P. MOMPLAISIR</p> <p>2 documents while you were at the dealership</p> <p>3 in September of 2020?</p> <p>4 A. No. Not me. No. Not me.</p> <p>5 Q. Okay.</p> <p>6 A. I was there just to support,</p> <p>7 not to -- you know? I was there to</p> <p>8 support, not to do anything. Not even to</p> <p>9 talk. I was just there with her. I was</p> <p>10 the -- unfortunately, I was there with her.</p> <p>11 That's why I'm here right now.</p> <p>12 Q. Okay. I appreciate it. It's</p> <p>13 unfortunate. It's unfortunate for all of</p> <p>14 us this thing.</p> <p>15 A. Yeah.</p> <p>16 Q. So the pictures that you just</p> <p>17 mentioned, what pictures did you review in</p> <p>18 preparation for this deposition?</p> <p>19 A. Pictures of -- of the father,</p> <p>20 the son and somebody. I don't know.</p> <p>21 Q. Okay.</p> <p>22 How do you know they were the</p> <p>23 father and son?</p> <p>24 A. I was there, remember?</p> <p>25 Q. Well --</p>

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<p style="text-align: right;">Page 29</p> <p>1 P. MOMPLAISIR</p> <p>2 A. But I don't know if the father</p> <p>3 is the son. The son say -- the guy said,</p> <p>4 that's my father. So I figure if you told</p> <p>5 me that's your father, that's your father.</p> <p>6 Q. Okay.</p> <p>7 So the guy who you say said</p> <p>8 that's my father, describe him.</p> <p>9 A. That was a long time ago. That</p> <p>10 was about two and a half years ago, sir.</p> <p>11 Q. That's okay. You seem to</p> <p>12 remember other things from then.</p> <p>13 A. I remember --</p> <p>14 Q. What --</p> <p>15 A. I remember, but I don't</p> <p>16 remember everything.</p> <p>17 Q. Okay. We'll figure it out.</p> <p>18 A. I don't remember.</p> <p>19 Q. How tall was he?</p> <p>20 A. Taller than me.</p> <p>21 Q. Taller than you. How tall are</p> <p>22 you?</p> <p>23 A. I'm about 5'5 and a half, 5'6.</p> <p>24 Somewhere around that.</p> <p>25 Q. Fair to say he was over 6 feet?</p>	<p style="text-align: right;">Page 31</p> <p>1 P. MOMPLAISIR</p> <p>2 A. He's not black.</p> <p>3 Q. Okay.</p> <p>4 What was he if he wasn't black?</p> <p>5 A. Light skin.</p> <p>6 Q. Light skin like me?</p> <p>7 A. Uh -- you're a little bit</p> <p>8 lighter I think.</p> <p>9 Q. What did you say? I'm lighter</p> <p>10 or he's lighter?</p> <p>11 A. You're a little bit lighter. I</p> <p>12 think you're a little bit lighter, but --</p> <p>13 sir, it was two and a half years ago.</p> <p>14 Q. Yeah. I appreciate that.</p> <p>15 Okay. So you said you saw the photographs.</p> <p>16 You said -- your testimony was, father and</p> <p>17 son. So we just talked about what person</p> <p>18 you're saying, even though it's two and a</p> <p>19 half years ago, was the son. Did you also</p> <p>20 meet the -- what you're saying was the</p> <p>21 father? The person you're saying was the</p> <p>22 father?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Describe him.</p> <p>25 A. Light skin. I can't tell you a</p>
<p style="text-align: right;">Page 30</p> <p>1 P. MOMPLAISIR</p> <p>2 MR. KESHAVARZ: Objection to</p> <p>3 the form of the question.</p> <p>4 A. I cannot tell you that.</p> <p>5 Q. Was he about 6 feet 2 inches?</p> <p>6 MR. KESHAVARZ: Objection to</p> <p>7 the form of the question.</p> <p>8 A. I --</p> <p>9 Q. How much did he weigh?</p> <p>10 A. I don't know that.</p> <p>11 Q. Approximately?</p> <p>12 A. I do not know.</p> <p>13 Q. Did he weigh more than you?</p> <p>14 A. I think so.</p> <p>15 Q. Okay.</p> <p>16 How much do you weigh?</p> <p>17 A. I weigh about 149.</p> <p>18 Q. Okay.</p> <p>19 What was his skin color?</p> <p>20 MR. KESHAVARZ: Objection to</p> <p>21 form.</p> <p>22 Q. Pardon?</p> <p>23 A. Skin color? Light skin.</p> <p>24 Q. Light, like is he a white man,</p> <p>25 a black man, a Hispanic man?</p>	<p style="text-align: right;">Page 32</p> <p>1 P. MOMPLAISIR</p> <p>2 lot about him.</p> <p>3 Q. Okay.</p> <p>4 How tall was he?</p> <p>5 A. All I know they both were</p> <p>6 taller than me.</p> <p>7 Q. Both taller than you?</p> <p>8 A. Yeah. Both taller than me.</p> <p>9 Q. Okay.</p> <p>10 How about, how much did he</p> <p>11 weigh?</p> <p>12 A. That, I don't know. I don't</p> <p>13 know sir.</p> <p>14 Q. Do you think more than you?</p> <p>15 A. I don't think so. Yeah.</p> <p>16 Q. Okay.</p> <p>17 Either one of them wear</p> <p>18 glasses?</p> <p>19 A. I don't know.</p> <p>20 Q. Either one of them have a</p> <p>21 beard, facial hair?</p> <p>22 A. I don't remember.</p> <p>23 Q. Okay.</p> <p>24 Either one of them was bald?</p> <p>25 A. I'm not sure.</p>

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<p>1 P. MOMPLAISIR</p> <p>2 Q. All right.</p> <p>3 Either one of them was wearing</p> <p>4 a hat?</p> <p>5 A. I'm not sure.</p> <p>6 Q. All right.</p> <p>7 So when did you look at those</p> <p>8 photos that you say you looked at to</p> <p>9 prepare for your deposition today?</p> <p>10 A. Yesterday.</p> <p>11 Q. Okay.</p> <p>12 So who showed them to you?</p> <p>13 A. I was talking to counselor.</p> <p>14 Q. This man here, that's on the</p> <p>15 screen, Mr. Ahmad Keshavarz?</p> <p>16 A. Yes. Mr. Ahmad. Yes.</p> <p>17 Q. So when is the first time you</p> <p>18 spoke to him ever?</p> <p>19 MR. KESHAVARZ: It's just a</p> <p>20 date that he's asking.</p> <p>21 A. I don't know the date. Maybe</p> <p>22 -- no. To you? Couple of weeks ago.</p> <p>23 Couple of weeks. I talked to your partner.</p> <p>24 Q. Okay. Well, just, let's focus</p> <p>25 just on Mr. Keshavarz. You first spoke to</p>	<p>1 P. MOMPLAISIR</p> <p>2 him.</p> <p>3 MR. GOODMAN: Okay. Mark</p> <p>4 please -- Ms. Reporter, mark that for</p> <p>5 a ruling. I don't believe that</p> <p>6 privilege applies here.</p> <p>7 MR. KESHAVARZ: Well, if you</p> <p>8 want, we can get the court on the</p> <p>9 line as well.</p> <p>10 MR. GOODMAN: Well, we are</p> <p>11 going to finish the deposition first</p> <p>12 and then we'll talk to the court.</p> <p>13 MR. KESHAVARZ: I'm not going</p> <p>14 to have the defendant come back</p> <p>15 again.</p> <p>16 MR. GOODMAN: I'll -- you know,</p> <p>17 let me continue please.</p> <p>18 Q. When is the next time after two</p> <p>19 weeks ago that you spoke to Emma?</p> <p>20 A. Emma, the date that we are</p> <p>21 supposed to have the deposition, that we</p> <p>22 did not have it.</p> <p>23 Q. Okay.</p> <p>24 A. I don't remember -- I don't</p> <p>25 remember --</p>
Page 34	Page 36
<p>1 P. MOMPLAISIR</p> <p>2 him two weeks ago?</p> <p>3 A. No, not him. I think his</p> <p>4 partner.</p> <p>5 Q. Okay.</p> <p>6 Was his partner's name Emma</p> <p>7 Catherine?</p> <p>8 A. Yes, I think so.</p> <p>9 Q. Emma?</p> <p>10 A. Emma. Yes.</p> <p>11 Q. Okay.</p> <p>12 That was about two weeks ago.</p> <p>13 How long was that conversation?</p> <p>14 A. Maybe five minutes, no more.</p> <p>15 Q. Okay.</p> <p>16 What was the content? What did</p> <p>17 she say to you, what did you say to her?</p> <p>18 MR. KESHAVARZ: Objection.</p> <p>19 Don't answer that. Attorney client</p> <p>20 privilege.</p> <p>21 MR. GOODMAN: Well, there was a</p> <p>22 deposition two weeks ago. And I</p> <p>23 don't know that you were representing</p> <p>24 him as a deponent two weeks ago.</p> <p>25 MR. KESHAVARZ: I represent</p>	<p>1 P. MOMPLAISIR</p> <p>2 Q. Okay. All right.</p> <p>3 A. -- exactly.</p> <p>4 Q. During the course of either one</p> <p>5 of those discussions were you shown these</p> <p>6 photographs that you are talking about?</p> <p>7 A. No.</p> <p>8 Q. Okay.</p> <p>9 Then when is the first time you</p> <p>10 actually spoke to Mr. Keshavarz?</p> <p>11 A. Is it two days ago? Two days</p> <p>12 ago.</p> <p>13 Q. Okay.</p> <p>14 Was it during that conversation</p> <p>15 that he showed you the photographs?</p> <p>16 A. No.</p> <p>17 Q. Okay.</p> <p>18 When was it that he showed you</p> <p>19 the photographs?</p> <p>20 A. Yesterday.</p> <p>21 MR. KESHAVARZ: Well --</p> <p>22 A. Yesterday.</p> <p>23 Q. Okay.</p> <p>24 Did he show you anything else</p> <p>25 other than photographs yesterday?</p>

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<p style="text-align: right;">Page 37</p> <p>1 P. MOMPLAISIR</p> <p>2 A. The photos of the texts that I</p> <p>3 -- that I had.</p> <p>4 Q. The photos of the texts that</p> <p>5 you had?</p> <p>6 A. Mh-hm.</p> <p>7 Q. Okay.</p> <p>8 What did those texts say?</p> <p>9 A. The appointments.</p> <p>10 Q. Is that what you read to us --</p> <p>11 A. Yes.</p> <p>12 Q. -- in this deposition?</p> <p>13 A. Yes.</p> <p>14 Q. Was that the only text that you</p> <p>15 showed him and discussed with him?</p> <p>16 A. There was another text, but it</p> <p>17 wasn't -- I did it, but I didn't do it</p> <p>18 under my name. I did it under Eddie. This</p> <p>19 is for the second time.</p> <p>20 Q. Did it under what? I'm sorry.</p> <p>21 A. I did it under another name.</p> <p>22 Not my name.</p> <p>23 Q. Okay.</p> <p>24 What do you mean by you it did</p> <p>25 it under another name?</p>	<p style="text-align: right;">Page 39</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay.</p> <p>3 Who provides the service for</p> <p>4 that number?</p> <p>5 A. I think it's Spectrum.</p> <p>6 Q. Okay.</p> <p>7 When was it that you made that</p> <p>8 second call under the name Eddie?</p> <p>9 A. I don't have dates. I don't</p> <p>10 dates. I don't have dates. Because the</p> <p>11 calls I don't have.</p> <p>12 Q. Okay.</p> <p>13 Had you already been to the</p> <p>14 dealership when you made that second call?</p> <p>15 A. I'm not sure, but I'm pretty</p> <p>16 sure that it might have been after because</p> <p>17 that's the second -- that's the second</p> <p>18 call. Yeah.</p> <p>19 Q. Okay. All right.</p> <p>20 So back to -- so you had a</p> <p>21 conversation with Mr. Keshavarz, I believe</p> <p>22 you said two days ago, did I get that</p> <p>23 correct?</p> <p>24 A. No, no, no, no.</p> <p>25 Q. Well, you tell me.</p>
<p style="text-align: right;">Page 38</p> <p>1 P. MOMPLAISIR</p> <p>2 A. So I did -- when I called back</p> <p>3 to get another appointment I didn't say my</p> <p>4 name was Papito, I said my name as Eddie.</p> <p>5 Q. Okay.</p> <p>6 Who did you call -- you did</p> <p>7 that on a phone call?</p> <p>8 A. On phone call, that's how you</p> <p>9 get appointment at that time from there.</p> <p>10 Q. Okay.</p> <p>11 So you called back --</p> <p>12 A. They must have a log. They</p> <p>13 must have a log.</p> <p>14 Q. You called back on your phone</p> <p>15 and said your name was Eddie to --</p> <p>16 A. I don't remember if it was my</p> <p>17 phone or on any other phone, but I did call</p> <p>18 and say my name was Eddie.</p> <p>19 Q. Okay.</p> <p>20 What other phone would it have</p> <p>21 been, you said -- or any other phone?</p> <p>22 A. My house phone --</p> <p>23 Q. What's the number of your house</p> <p>24 phone?</p> <p>25 A. 212-663-2917.</p>	<p style="text-align: right;">Page 40</p> <p>1 P. MOMPLAISIR</p> <p>2 A. We talk yesterday.</p> <p>3 Q. Okay.</p> <p>4 Before yesterday, did you talk</p> <p>5 to him?</p> <p>6 A. Did I talk? It's -- I think I</p> <p>7 talked to Emma about the date. Not with</p> <p>8 him. I think I talked to Emma about the</p> <p>9 date.</p> <p>10 Q. I'm asking -- my question now</p> <p>11 is him, talking to him, only him. Don't</p> <p>12 worry about Emma.</p> <p>13 A. Him? I think, like I told you,</p> <p>14 I think that was two days ago. That's it.</p> <p>15 Q. Two days ago?</p> <p>16 A. Mh-hm.</p> <p>17 Q. And that's when he showed you</p> <p>18 the photographs? I thought you said that</p> <p>19 was yesterday.</p> <p>20 A. Yesterday he showed me the</p> <p>21 photographs. I think I talked to him</p> <p>22 briefly about when the deposition. That's</p> <p>23 it.</p> <p>24 Q. Then yesterday you had a longer</p> <p>25 conversation that included the photographs?</p>

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<p style="text-align: right;">Page 41</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Not a longer conversation.</p> <p>3 Usual conversation when -- what did you</p> <p>4 remember -- about that, like that. That's</p> <p>5 it.</p> <p>6 Q. Okay.</p> <p>7 Well, what did he say to you</p> <p>8 and what did you say to him?</p> <p>9 MR. KESHAVARZ: Objection.</p> <p>10 A. I --</p> <p>11 MR. KESHAVARZ: Wait, wait.</p> <p>12 Don't answer that question. Attorney</p> <p>13 client privilege.</p> <p>14 MR. GOODMAN: Okay.</p> <p>15 Ms. Reporter, can you mark that for a</p> <p>16 ruling, please?</p> <p>17 Q. You mentioned previously your</p> <p>18 niece, and your niece's name is Farah Jean</p> <p>19 Francois, is that correct?</p> <p>20 A. Yes, it is.</p> <p>21 Q. Okay.</p> <p>22 She is your niece because she</p> <p>23 is the daughter of whom? Who is she the</p> <p>24 daughter of related to you?</p> <p>25 A. Not like that. Not like that.</p>	<p style="text-align: right;">Page 43</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay. Fair enough. Fair</p> <p>3 enough.</p> <p>4 How long have you known Farah</p> <p>5 Jean Francois, your niece?</p> <p>6 A. Long time.</p> <p>7 Q. Let me go back a second.</p> <p>8 Are you a native of Haiti?</p> <p>9 A. Yes, I am.</p> <p>10 Q. Okay.</p> <p>11 When did you come to the United</p> <p>12 States? When did you immigrate to United</p> <p>13 States?</p> <p>14 A. Long time ago. Long, long,</p> <p>15 long time ago. More than 30 years.</p> <p>16 Q. Okay.</p> <p>17 Are you a citizen of the United</p> <p>18 States?</p> <p>19 A. No, I'm not.</p> <p>20 Q. Okay.</p> <p>21 What is your citizenship --</p> <p>22 well, your status right now?</p> <p>23 A. My status, I'm a legal</p> <p>24 resident.</p> <p>25 Q. You have a Green Card?</p>
<p style="text-align: right;">Page 42</p> <p>1 P. MOMPLAISIR</p> <p>2 Her grandmother is my mother's grand -- is</p> <p>3 my mother's cousin. So this is grandmother</p> <p>4 to grandmother, cousin, but she from</p> <p>5 mother's side.</p> <p>6 Q. Oh --</p> <p>7 A. She called me uncle.</p> <p>8 Q. Hold on. Hold on.</p> <p>9 A. It's like a long way down the</p> <p>10 line uncle. It's complicated.</p> <p>11 Q. No, I understand. I'm going to</p> <p>12 try to undo the complication the best I</p> <p>13 can, which is probably not very good but.</p> <p>14 So if I got it correctly, your grandmother</p> <p>15 and her grandmother are first cousins?</p> <p>16 A. Exactly.</p> <p>17 Q. Okay.</p> <p>18 So she descended from her</p> <p>19 grandmother?</p> <p>20 A. To her mother to her.</p> <p>21 Q. To her mother to her. And you</p> <p>22 came down the line of your grandmother, but</p> <p>23 whatever that relationship is you're using</p> <p>24 the term niece to describe it, correct?</p> <p>25 A. Exactly.</p>	<p style="text-align: right;">Page 44</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Yes, I do.</p> <p>3 Q. Are you employed?</p> <p>4 A. Yes, I am.</p> <p>5 Q. What is your employment?</p> <p>6 A. I own my own business,</p> <p>7 Momplaisir Inc.</p> <p>8 Q. What is the business of</p> <p>9 Momplaisir Inc?</p> <p>10 A. It's a shipping company.</p> <p>11 Q. What does it ship?</p> <p>12 A. Everything from letters to</p> <p>13 boxes to whatever. It's a shipping</p> <p>14 company. So we do shipping.</p> <p>15 Q. Where -- do you ship to one</p> <p>16 particular location?</p> <p>17 A. Mostly Haiti.</p> <p>18 Q. Okay.</p> <p>19 So you're shipping items from</p> <p>20 the United States to Haiti?</p> <p>21 A. Exact.</p> <p>22 Q. Are you receiving shipments</p> <p>23 from Haiti to the United States?</p> <p>24 A. Sometimes.</p> <p>25 Q. How long have you been in</p>

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<p>1 P. MOMPLAISIR</p> <p>2 business as Momplaisir Inc.?</p> <p>3 A. Since 1999.</p> <p>4 Q. Okay.</p> <p>5 Any reason in all those years</p> <p>6 you did not choose to become a citizen of</p> <p>7 the United States?</p> <p>8 A. Not really.</p> <p>9 Q. Okay. I think you didn't have</p> <p>10 an exact year. Let me ask it again. If</p> <p>11 I'm repeating, I'm sorry.</p> <p>12 The date -- the year that you</p> <p>13 immigrated to the United States?</p> <p>14 A. I don't have the exact date,</p> <p>15 but I -- it was a long time ago. That's</p> <p>16 all I could tell you.</p> <p>17 Q. Well, was it say, early 1990s?</p> <p>18 It's about 30 years ago.</p> <p>19 A. Yeah. More -- a little bit</p> <p>20 more than that I think.</p> <p>21 Q. So --</p> <p>22 A. Let's say around 30 years.</p> <p>23 Q. More than 30 years? Okay.</p> <p>24 A. More than 30 years.</p> <p>25 Q. My question is, before those 30</p>	<p>1 P. MOMPLAISIR</p> <p>2 week --</p> <p>3 A. Almost every week. Like I</p> <p>4 would say every two, three weeks I would</p> <p>5 see her because of the business.</p> <p>6 Q. Okay.</p> <p>7 Have you ever been arrested?</p> <p>8 A. Never in my life.</p> <p>9 Q. Okay.</p> <p>10 A. I never even dream about it.</p> <p>11 Q. Well, that would be a</p> <p>12 nightmare.</p> <p>13 A. Exactly.</p> <p>14 Q. So do you know when Farah, your</p> <p>15 niece, let's just call her your niece, came</p> <p>16 to the United States for the first time?</p> <p>17 A. I can't remember the exact</p> <p>18 date. But -- I can't remember the year</p> <p>19 either, but it's more -- wow.</p> <p>20 Q. If I told you 2014, would that</p> <p>21 refresh your recollection?</p> <p>22 A. '14? I can't remember exact</p> <p>23 date -- the exact date. But I remember she</p> <p>24 came around -- around eight to ten years</p> <p>25 ago. Around -- around there.</p>
Page 46	Page 48
<p>1 P. MOMPLAISIR</p> <p>2 years, had you already met your niece,</p> <p>3 Farah Jean Francois -- you're calling her</p> <p>4 niece -- in Haiti?</p> <p>5 A. Not before I come here, after.</p> <p>6 Q. Okay.</p> <p>7 So when did you first meet her?</p> <p>8 A. You know, we see each other,</p> <p>9 not really meet, hi, how are you, things</p> <p>10 like that when I was in Haiti.</p> <p>11 Q. Okay.</p> <p>12 A. I used to go to Haiti almost</p> <p>13 every week sir.</p> <p>14 Q. Okay.</p> <p>15 What had you going back and</p> <p>16 forth to Haiti every week?</p> <p>17 A. I used to go almost every week.</p> <p>18 I didn't say every week. Almost.</p> <p>19 Q. All right.</p> <p>20 A. Because of the shipping</p> <p>21 business.</p> <p>22 Q. Okay. All right.</p> <p>23 So you would see her in Haiti?</p> <p>24 A. Mh-hm.</p> <p>25 Q. When you went almost every</p>	<p>1 P. MOMPLAISIR</p> <p>2 Q. Okay.</p> <p>3 When she came eight to ten</p> <p>4 years ago, did she stay with you?</p> <p>5 A. She stayed in my house. Yes.</p> <p>6 For a while.</p> <p>7 Q. Stayed in your house. Okay.</p> <p>8 Do you remember when she came that she had</p> <p>9 some trouble with law enforcement at the</p> <p>10 airport concerning packages of cocaine?</p> <p>11 A. I think so, yeah.</p> <p>12 Q. You remember that?</p> <p>13 A. Of course I remember.</p> <p>14 Q. Okay.</p> <p>15 Did you help her deal with that</p> <p>16 situation?</p> <p>17 A. I was -- I'm the one who always</p> <p>18 helping any family members. It's not only</p> <p>19 her. It's everybody.</p> <p>20 Q. Okay.</p> <p>21 But my question was --</p> <p>22 MR. GOODMAN: And I move to</p> <p>23 strike the nonresponsive portion.</p> <p>24 Q. My question is, did you help</p> <p>25 her with that particular situation with law</p>

12 (Pages 45 to 48)

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<p style="text-align: right;">Page 49</p> <p>1 P. MOMPLAISIR</p> <p>2 enforcement?</p> <p>3 A. I was there too, you know? But</p> <p>4 there was another uncle, he passed away</p> <p>5 now, that was more into it. But I was</p> <p>6 there. I was there -- I was there, help</p> <p>7 out. Yeah.</p> <p>8 Q. Okay.</p> <p>9 Who was the uncle that was more</p> <p>10 into it?</p> <p>11 A. There's another uncle named</p> <p>12 Andre. A-N-D-R-E.</p> <p>13 Q. E --</p> <p>14 A. He helped too. But I was --</p> <p>15 A-N-D-R-E.</p> <p>16 Q. E-N-D-R-E?</p> <p>17 A. A-N-D-R-E.</p> <p>18 Q. Andre. I'm sorry.</p> <p>19 A. Yeah. Andre.</p> <p>20 Q. Okay. So --</p> <p>21 A. Can you move please? Because</p> <p>22 you're taking a little bit of long time.</p> <p>23 Q. I'm sorry.</p> <p>24 A. You're taking a lot of time.</p> <p>25 Can you please, you know?</p>	<p style="text-align: right;">Page 51</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Can't remember the date sir.</p> <p>3 Q. All right.</p> <p>4 Was that apartment the same</p> <p>5 address you gave us at the beginning?</p> <p>6 A. Yes.</p> <p>7 Q. 145 W 111th?</p> <p>8 A. Yes, sir.</p> <p>9 Q. All right.</p> <p>10 Does she live there today?</p> <p>11 A. No.</p> <p>12 Q. Okay.</p> <p>13 When was it that she moved</p> <p>14 away?</p> <p>15 A. When she got married.</p> <p>16 Q. Okay.</p> <p>17 And that was when? Maybe I</p> <p>18 asked that, but when?</p> <p>19 A. I don't remember the date.</p> <p>20 Q. Okay.</p> <p>21 After she got married and moved</p> <p>22 out, was there a time that she came back,</p> <p>23 moved back?</p> <p>24 A. No.</p> <p>25 Q. Is there a time that she spent</p>
<p style="text-align: right;">Page 50</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Well, I learn my lessons from</p> <p>3 Mr. Keshavarz as how to draw out</p> <p>4 depositions. So we could be here for a</p> <p>5 long time.</p> <p>6 MR. KESHAVARZ: This is from</p> <p>7 our agreement. This deposition --</p> <p>8 MR. GOODMAN: This deposition</p> <p>9 will end by 2:00 p.m., we are not</p> <p>10 going to go past two.</p> <p>11 A. Okay.</p> <p>12 Q. All right? Now, if you need a</p> <p>13 break, all you have to do is say so, and we</p> <p>14 can take a break.</p> <p>15 A. No. Let's try to finish</p> <p>16 because -- you know, I have other things to</p> <p>17 do. Let's try to finish.</p> <p>18 Q. Okay. We all do. All right.</p> <p>19 So when she arrived, your</p> <p>20 niece, she stayed in your apartment, is</p> <p>21 that correct?</p> <p>22 A. Yeah. For a while. Yes.</p> <p>23 Q. How long was a while?</p> <p>24 A. Think until she got married.</p> <p>25 Q. When did she get married?</p>	<p style="text-align: right;">Page 52</p> <p>1 P. MOMPLAISIR</p> <p>2 anytime there whether --</p> <p>3 A. Well, she passed by, of course.</p> <p>4 Q. No, but I mean stayed there,</p> <p>5 like slept --</p> <p>6 A. No, no, no.</p> <p>7 Q. Okay.</p> <p>8 A. She was married.</p> <p>9 Q. Do you know if she's still</p> <p>10 married today?</p> <p>11 A. Yes. She's still married.</p> <p>12 Q. Okay.</p> <p>13 A. How is that going, that's</p> <p>14 another story --</p> <p>15 Q. What? I'm sorry? I didn't</p> <p>16 hear that.</p> <p>17 A. I said, how it's going, I don't</p> <p>18 know. But that's another story. But she's</p> <p>19 still married.</p> <p>20 Q. Well, she's pregnant now,</p> <p>21 right?</p> <p>22 A. I don't know sir. That's</p> <p>23 personal. I don't know that.</p> <p>24 Q. You don't know that?</p> <p>25 A. No, I don't know that.</p>

13 (Pages 49 to 52)

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<p style="text-align: right;">Page 53</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay.</p> <p>3 Do you know her husband?</p> <p>4 A. Yes.</p> <p>5 Q. What's his name?</p> <p>6 A. Laforest.</p> <p>7 Q. First name?</p> <p>8 A. His first name is -- I call him</p> <p>9 Laforest.</p> <p>10 Q. Okay.</p> <p>11 When is the last time you spoke</p> <p>12 with him?</p> <p>13 A. The last time I talked to him</p> <p>14 was a long time ago.</p> <p>15 Q. Okay.</p> <p>16 What did you talk to him about?</p> <p>17 A. Not really talk, hi, how are</p> <p>18 you. I was with Farah that day and we say</p> <p>19 -- we talk, hi, how are you and that's it.</p> <p>20 Q. Okay.</p> <p>21 Now, do you know Emmanuel</p> <p>22 Laforest?</p> <p>23 A. No.</p> <p>24 Q. Do you know Stanley Laforest's</p> <p>25 brother?</p>	<p style="text-align: right;">Page 55</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay.</p> <p>3 A. She was asking me what happened</p> <p>4 to those -- she had tickets. And I was</p> <p>5 like how you got so many tickets. You</p> <p>6 know, I was telling her -- you know -- you</p> <p>7 know, you have to be more -- you know, you</p> <p>8 can't be getting tickets. That's wasting</p> <p>9 money. And she was like, no, I don't get</p> <p>10 tickets like that. You know? And I was</p> <p>11 like, but I never really looked at the</p> <p>12 plates of the car. You know, because I was</p> <p>13 like, oh, man, you should -- they had --</p> <p>14 they had like speeding tickets. You know,</p> <p>15 those cameras, those speed camera thing?</p> <p>16 So she was telling me -- well,</p> <p>17 I was telling her, hey, you cannot be doing</p> <p>18 this, getting those tickets. And I was</p> <p>19 like -- then she showed me. I met her, she</p> <p>20 showed me the papers. And when I looked at</p> <p>21 the papers, and I was like, BMW? Do you</p> <p>22 have a BMW? And she was like, BMW? No. I</p> <p>23 don't know anything about a BMW. Then from</p> <p>24 there I told her let me check.</p> <p>25 Q. All right. So --</p>
<p style="text-align: right;">Page 54</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Yeah. Yeah. Stanley. No, no,</p> <p>3 no. I don't know him at all.</p> <p>4 Q. Okay.</p> <p>5 What do you know about his</p> <p>6 participation in the issue, the problem</p> <p>7 with the BMW and Farah?</p> <p>8 A. I think that's the -- I think,</p> <p>9 according to the dealer, that he was the</p> <p>10 one coming and bought the car. According</p> <p>11 to the dealer.</p> <p>12 Q. Okay.</p> <p>13 What about according to Farah?</p> <p>14 A. According to Farah she did not</p> <p>15 know anything. She didn't know anything at</p> <p>16 all --</p> <p>17 Q. Okay.</p> <p>18 A. -- about when that happened.</p> <p>19 Q. When is the first time that</p> <p>20 Farah talked to you about the problem with</p> <p>21 the BMW?</p> <p>22 A. I don't have the exact date.</p> <p>23 But she received a letter. She received a</p> <p>24 letter in mail that she was getting</p> <p>25 tickets.</p>	<p style="text-align: right;">Page 56</p> <p>1 P. MOMPLAISIR</p> <p>2 MR. GOODMAN: Move to strike</p> <p>3 the nonresponsive portion.</p> <p>4 Q. Yeah. Mr. Momplaisir, this</p> <p>5 conversation that you just recited to us,</p> <p>6 when did that happen?</p> <p>7 A. That happened one time I was</p> <p>8 dropping her at her house on -- in</p> <p>9 Brooklyn.</p> <p>10 Q. Okay.</p> <p>11 What was the address of that</p> <p>12 house?</p> <p>13 A. I know it's on Farragut. I</p> <p>14 cannot tell you exactly. I know it's very</p> <p>15 close to Nostrand, Nostrand Avenue. It's</p> <p>16 right there around this area. I don't know</p> <p>17 the exact, exact, exact address. But I</p> <p>18 know Nostrand.</p> <p>19 Q. Okay. All right.</p> <p>20 Are you saying that she</p> <p>21 actually showed you copies of tickets?</p> <p>22 A. Huh? Can you repeat that</p> <p>23 please? Hold on. Hold on one second.</p> <p>24 Yes. Can you repeat the question please?</p> <p>25 Q. Yeah.</p>

14 (Pages 53 to 56)

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1 P. MOMPLAISIR
 2 Is it your testimony that she
 3 actually showed you copies of tickets,
 4 speeding tickets, camera tickets, whatever
 5 it was?
 6 A. Yeah. She show -- yes, yes.
 7 Q. How many?
 8 A. I can't remember.
 9 Q. Okay.
 10 And she had received all of
 11 those tickets in the mail?
 12 A. In the mail.
 13 Q. At that house on Farragut Road?
 14 A. Yes, exact.
 15 Q. Okay.
 16 Did she show you any other mail
 17 that she received at Farragut Road
 18 concerning the BMW, other than tickets?
 19 A. After that I think she showed
 20 me a title. A title.
 21 Q. Okay.
 22 A. And the title --
 23 Q. When was this? I think you
 24 said it was when you were dropping her off.
 25 But what's the --

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1 P. MOMPLAISIR
 2 describe all of them. But we need your
 3 number.
 4 A. **Redacted**
 5 Q.
 6 As of today, do you own a motor
 7 vehicle, a car?
 8 A. Yes, I do.
 9 Q. Okay.
 10 What is the make and model?
 11 A. A Benz '19 -- year C300,
 12 coupe.
 13 Q. Nice.
 14 A. Yeah.
 15 Q. How long have you owned that?
 16 A. Not too long. I always drive
 17 Benz.
 18 Q. Okay. Well -- this one is --
 19 A. This one is --
 20 Q. Go ahead. Go ahead.
 21 A. This one is not too long ago.
 22 About seven, eight months.
 23 Q. All right.
 24 Did you own a vehicle in
 25 September of 2020?

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1 P. MOMPLAISIR
 2 A. I don't have the date sir. I
 3 don't have date.
 4 Q. Okay.
 5 Well, was it August of 2020,
 6 was it July of --
 7 A. I don't have date.
 8 Q. Was it before you went to the
 9 dealership?
 10 A. Before the dealership, that's
 11 how come we go to the dealership.
 12 Q. Okay.
 13 A. I was just helping out. I --
 14 you know?
 15 Q. Okay.
 16 Before I forget, what's your
 17 date of birth?
 18 A. **Redacted**
 19 Q. And your Social Security
 20 Number?
 21 A. My Social Security Number?
 22 Q. Yes.
 23 A. Why's that relevant?
 24 Q. It's relevant. There's a
 25 number of reasons. I don't need to

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1 P. MOMPLAISIR
 2 A. September of 2020? September
 3 of 2020? I think so. I have all kind of
 4 cars I'm driving. It's not a problem. I
 5 don't have car problems.
 6 Q. Okay.
 7 But you had some car available
 8 to you to drive in September of 2020?
 9 A. Yes.
 10 Q. Correct?
 11 A. Yes, I did. Of course.
 12 Q. Let me ask this question. You
 13 went to the Victory Mitsubishi dealership
 14 in September of 2020, correct?
 15 A. Yes, I did.
 16 Q. Okay.
 17 How did you get there?
 18 A. The first time I think we went
 19 in Farah's car.
 20 Q. Okay.
 21 A. The second time I met her
 22 there.
 23 Q. Okay.
 24 The first -- so you went there
 25 twice, correct?

15 (Pages 57 to 60)

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Page 61	Page 63
<p>1 P. MOMPLAISIR</p> <p>2 A. Yes.</p> <p>3 Q. You're sure of that?</p> <p>4 A. I'm pretty positively sure.</p> <p>5 Q. Okay.</p> <p>6 The first time you drove with</p> <p>7 her was anybody else with you?</p> <p>8 A. No.</p> <p>9 Q. Okay.</p> <p>10 What car did you drive in to</p> <p>11 get there the first time?</p> <p>12 A. Can't remember which one.</p> <p>13 Q. Okay.</p> <p>14 Where did you park the car?</p> <p>15 A. Outside.</p> <p>16 Q. But where outside?</p> <p>17 A. In the street. In the street.</p> <p>18 Q. On the street?</p> <p>19 A. On the street near the dealer.</p> <p>20 Q. What street was it?</p> <p>21 A. I don't know.</p> <p>22 Q. Did you park legally or did you</p> <p>23 get a ticket for that parking?</p> <p>24 A. No, no, no. Legally.</p> <p>25 Q. Okay.</p>	<p>1 P. MOMPLAISIR</p> <p>2 that. Then they have -- you know, they --</p> <p>3 on this side they have a bunch of -- a</p> <p>4 bunch of -- a bunch of -- how I say? A</p> <p>5 bunch of rooms, I think is where the people</p> <p>6 -- the people stay, the dealers.</p> <p>7 Q. Okay.</p> <p>8 So you went into that building</p> <p>9 with a bunch of rooms, is that correct?</p> <p>10 A. They have a bunch of room on</p> <p>11 the side and they have a big open space,</p> <p>12 you know --</p> <p>13 Q. Okay.</p> <p>14 A. -- like all car dealers.</p> <p>15 Q. Okay. So tell me --</p> <p>16 A. Dealers --</p> <p>17 Q. Tell me where did you go? Did</p> <p>18 you enter into a building there?</p> <p>19 A. I enter -- I don't think so --</p> <p>20 it's not a building. It's an -- if you</p> <p>21 want to call it building? Yes. But I</p> <p>22 don't think it's big building, like tall</p> <p>23 building like Manhattan, no, no, no.</p> <p>24 Q. No.</p> <p>25 A. Small. Small thing.</p>
Page 62	Page 64
<p>1 P. MOMPLAISIR</p> <p>2 A. There's a lot of parking there</p> <p>3 in the Bronx.</p> <p>4 Q. How long were you in the</p> <p>5 dealership all together on that first trip?</p> <p>6 A. About maybe I would say three</p> <p>7 hours. Around two, three hours.</p> <p>8 Q. Okay.</p> <p>9 I want you to -- do you know</p> <p>10 the address of the dealership that you went</p> <p>11 to?</p> <p>12 A. I know the address. I been</p> <p>13 there. But to know it offhand, no.</p> <p>14 Offhand, no.</p> <p>15 Q. Okay.</p> <p>16 A. I know it, but I don't have it</p> <p>17 offhand.</p> <p>18 Q. Okay.</p> <p>19 So could you please describe</p> <p>20 the building that you went into?</p> <p>21 A. It's a glass building with a</p> <p>22 parking on the -- on the -- you could --</p> <p>23 there's a car -- there's a bunch of cars on</p> <p>24 the left hand side, it looks like a parking</p> <p>25 lot, where they put cars and stuff like</p>	<p>1 P. MOMPLAISIR</p> <p>2 Q. The dealership, did you enter</p> <p>3 the dealership?</p> <p>4 A. Yes.</p> <p>5 Q. With Farah?</p> <p>6 A. With Farah, yes.</p> <p>7 Q. Okay.</p> <p>8 Did you talk to anybody in the</p> <p>9 dealership?</p> <p>10 A. I talked to -- I don't remember</p> <p>11 the name, but I talked to a lady, saying</p> <p>12 that we had an appointment.</p> <p>13 Q. Did you talk to the lady or did</p> <p>14 Farah talk to the lady or both of you talk</p> <p>15 to the lady?</p> <p>16 A. Both of us that day we had an</p> <p>17 appointment. Yes.</p> <p>18 Q. Okay.</p> <p>19 What did the lady say to you?</p> <p>20 A. Have a seat, we'll get to you.</p> <p>21 Q. Okay.</p> <p>22 Did there come a time that you</p> <p>23 talked to somebody else other than that</p> <p>24 lady?</p> <p>25 A. Yes.</p>

16 (Pages 61 to 64)

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<p style="text-align: right;">Page 65</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Who was that?</p> <p>3 A. Some -- a guy that she refer us</p> <p>4 to.</p> <p>5 Q. Okay.</p> <p>6 Can you describe that guy?</p> <p>7 A. It's a light skin guy. That's</p> <p>8 all I remember. I cannot remember more.</p> <p>9 Q. Was it one of the guys that you</p> <p>10 saw in the photographs that Mr. Keshavarz</p> <p>11 showed you?</p> <p>12 A. No, no.</p> <p>13 Q. Okay.</p> <p>14 Other than light skin, how tall</p> <p>15 was he?</p> <p>16 A. Everybody over there was taller</p> <p>17 than me, that I know.</p> <p>18 Q. Okay. You're not that short.</p> <p>19 A. 5'5 and a half, 5'6? I'm</p> <p>20 short. I'm very short.</p> <p>21 Q. All right. I'll take your word</p> <p>22 for it.</p> <p>23 Other than he was taller than</p> <p>24 you, can you describe him? Did he have a</p> <p>25 beard, facial hair?</p>	<p style="text-align: right;">Page 67</p> <p>1 P. MOMPLAISIR</p> <p>2 and Farah did all the talking?</p> <p>3 A. I think I said a few things and</p> <p>4 Farah said a few things. Farah was asking</p> <p>5 that she wanted to see the papers that she</p> <p>6 signed.</p> <p>7 Q. Okay.</p> <p>8 A. That's about it. And he said</p> <p>9 have a seat. I'm a little bit busy. I'll</p> <p>10 get back to you guys.</p> <p>11 Q. Okay.</p> <p>12 Was that inside an office?</p> <p>13 A. No.</p> <p>14 Q. Did have --</p> <p>15 A. It was in the waiting. The</p> <p>16 waiting area.</p> <p>17 Q. Okay.</p> <p>18 So he said have a seat, I'm</p> <p>19 busy. Did he come back at some point?</p> <p>20 A. Yes.</p> <p>21 Q. What did he say at that point?</p> <p>22 A. Well, guys, the department that</p> <p>23 supposed to give you those answers are</p> <p>24 closed right now. If you don't mind, you</p> <p>25 could come back in a couple of days.</p>
<p style="text-align: right;">Page 66</p> <p>1 P. MOMPLAISIR</p> <p>2 A. I cannot describe him, no.</p> <p>3 Q. You can't describe him?</p> <p>4 A. No.</p> <p>5 Q. Okay.</p> <p>6 Was there anybody there that</p> <p>7 you would describe as 6 feet 2 inches tall?</p> <p>8 A. In the whole place?</p> <p>9 Q. That you saw. No, not in the</p> <p>10 whole place. That you and Farah interacted</p> <p>11 with, and this is on the first visit.</p> <p>12 A. I cannot tell you that. I</p> <p>13 don't know. I cannot remember.</p> <p>14 Q. Okay. All right.</p> <p>15 So you had an interaction with</p> <p>16 this other individual that the woman</p> <p>17 referred you to, correct?</p> <p>18 A. Yes.</p> <p>19 Q. Did you talk to that -- you</p> <p>20 called him guy, that guy. Did you talk,</p> <p>21 you, personally, talk to the guy?</p> <p>22 A. Well, it wasn't really me</p> <p>23 talking. You understand?</p> <p>24 Q. Well, that's what I'm asking.</p> <p>25 Did you talk or did you just stand there</p>	<p style="text-align: right;">Page 68</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay.</p> <p>3 What did Farah say to him?</p> <p>4 A. Farah said, after all that time</p> <p>5 we waited and you -- now you're going to</p> <p>6 tell us the office is closed. We've been</p> <p>7 here for like more than three hours, you</p> <p>8 know? And the guy said, well, I'm sorry,</p> <p>9 but the department is closed. You guys</p> <p>10 have to come back another day.</p> <p>11 Q. Okay.</p> <p>12 Did he say anything about the</p> <p>13 documents you need are in a different</p> <p>14 facility, in a different building?</p> <p>15 A. He said the department.</p> <p>16 Q. Did he --</p> <p>17 A. Was --</p> <p>18 Q. Did he say the department is in</p> <p>19 a different building?</p> <p>20 A. I don't know. All he said was</p> <p>21 the department was closed.</p> <p>22 Q. Was closed. Okay.</p> <p>23 A. The department we are supposed</p> <p>24 go was not open. We have to come back in</p> <p>25 two days.</p>

17 (Pages 65 to 68)

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<p style="text-align: right;">Page 69</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay.</p> <p>3 So what time was it that he</p> <p>4 said that? What time of day was it?</p> <p>5 A. It was afternoon. Because they</p> <p>6 were about to close. It was afternoon.</p> <p>7 Had to be afternoon.</p> <p>8 Q. Well, I mean, when you say</p> <p>9 afternoon, was it 5:00 o'clock, 6:00</p> <p>10 o'clock, 7:00 o'clock?</p> <p>11 A. Well, around that time. Around</p> <p>12 that time. I'm not sure of the time</p> <p>13 because, you know, it's not like something</p> <p>14 I was taking notes for everything. You</p> <p>15 understand? It's something that happened.</p> <p>16 I went and helped. That's it.</p> <p>17 Q. Okay.</p> <p>18 Was Farah taking notes?</p> <p>19 A. I don't think so. No one was</p> <p>20 taking notes.</p> <p>21 Q. No one was taking notes. Okay.</p> <p>22 After that what happened next?</p> <p>23 A. After?</p> <p>24 Q. You left?</p> <p>25 A. We left the dealership, yes.</p>	<p style="text-align: right;">Page 71</p> <p>1 P. MOMPLAISIR</p> <p>2 Was it September of 2020?</p> <p>3 A. I do not remember dates. But I</p> <p>4 think on the appointment -- I think it was</p> <p>5 the 24th or something.</p> <p>6 Q. That appointment you told us</p> <p>7 about earlier, was that an appointment --</p> <p>8 was that the first appointment or the</p> <p>9 second appointment?</p> <p>10 A. The one that I just described</p> <p>11 to you?</p> <p>12 Q. No. The one on the phone that</p> <p>13 you read to us. The September 24th.</p> <p>14 A. I'm not sure. I think one is</p> <p>15 -- I'm not -- I don't know.</p> <p>16 Q. Okay.</p> <p>17 A. One is the first appointment.</p> <p>18 The second one is the second. I don't know</p> <p>19 -- I don't know the dates.</p> <p>20 Q. But you only had one</p> <p>21 appointment on your phone, right?</p> <p>22 A. Yes.</p> <p>23 Q. And that was September 24th?</p> <p>24 A. But I did two. But I don't</p> <p>25 remember when the other one is. I cannot</p>
<p style="text-align: right;">Page 70</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay.</p> <p>3 A. And we make another appointment</p> <p>4 and went back in.</p> <p>5 Q. When you say we made another</p> <p>6 appointment, was it you, was it Farah?</p> <p>7 A. Yeah. Because, you know, at</p> <p>8 that time she was like no, you have to go</p> <p>9 with me. You have to go with me.</p> <p>10 Q. Okay.</p> <p>11 The date that you just</p> <p>12 described, everything you just described --</p> <p>13 A. I -- I --</p> <p>14 Q. -- what was the date of that?</p> <p>15 You have to let me finish before you</p> <p>16 answer. That was one of the rules. Maybe</p> <p>17 I didn't say it. But she can't take down</p> <p>18 two people at the same time.</p> <p>19 What was the date of that, the</p> <p>20 visit that you just described?</p> <p>21 A. I don't have dates. I don't</p> <p>22 remember those dates. It was a long time</p> <p>23 ago. All I remember -- I don't remember</p> <p>24 dates.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 72</p> <p>1 P. MOMPLAISIR</p> <p>2 find the other one.</p> <p>3 Q. The other one is not on your</p> <p>4 phone --</p> <p>5 A. No.</p> <p>6 Q. -- only September 24th?</p> <p>7 A. Yes.</p> <p>8 Q. All right.</p> <p>9 So you made a second</p> <p>10 appointment. And in the second</p> <p>11 appointment, I believe you said, correct me</p> <p>12 if I'm wrong, that you drove yourself to</p> <p>13 the dealership and you met --</p> <p>14 A. Yes.</p> <p>15 Q. -- Farah at the dealership,</p> <p>16 right?</p> <p>17 A. Yes.</p> <p>18 Q. You don't remember the make and</p> <p>19 model of your car that you drove there that</p> <p>20 day, the second one?</p> <p>21 A. Not really.</p> <p>22 Q. Was a Benz, right? You always</p> <p>23 drive a Benz?</p> <p>24 A. No, no, no. It wasn't a Benz</p> <p>25 at that time. No.</p>

18 (Pages 69 to 72)

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<p style="text-align: right;">Page 73</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. I thought you said you always</p> <p>3 drive a Benz?</p> <p>4 A. Yeah, I do. But it wasn't a</p> <p>5 Benz at that time.</p> <p>6 Q. Okay.</p> <p>7 You don't know what it was?</p> <p>8 A. What car was I driving that</p> <p>9 day? I don't remember what car I was</p> <p>10 driving that day. I do not remember. But</p> <p>11 I remember going.</p> <p>12 Q. Okay.</p> <p>13 You met Farah there. Did you</p> <p>14 go into that same building or space that</p> <p>15 you went into the first time?</p> <p>16 A. Same building, yes.</p> <p>17 Q. Who was the first person that</p> <p>18 you or Farah talked to?</p> <p>19 A. The secretary.</p> <p>20 Q. Okay.</p> <p>21 What was the conversation with</p> <p>22 the secretary?</p> <p>23 A. We were here before, we talked</p> <p>24 to someone and they said to come back in a</p> <p>25 couple of days and this is why we come</p>	<p style="text-align: right;">Page 75</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. Okay. All right.</p> <p>3 And then somebody said?</p> <p>4 A. The secretary said, just go sit</p> <p>5 down. I'll get you somebody right now.</p> <p>6 Q. All right.</p> <p>7 Did she do that?</p> <p>8 A. Yes.</p> <p>9 Q. Who did she get?</p> <p>10 A. She get the guy who said it's</p> <p>11 the son of the owner.</p> <p>12 Q. All right.</p> <p>13 Well, when did you say I'm the</p> <p>14 son of the owner?</p> <p>15 A. When we get inside. We went to</p> <p>16 the office and he talk to us. After a</p> <p>17 while, he said, well, I think I have to get</p> <p>18 my dad on this.</p> <p>19 Q. Okay.</p> <p>20 What was the conversation --</p> <p>21 before that, what was the conversation with</p> <p>22 this individual?</p> <p>23 A. Oh, I'm sorry.</p> <p>24 Q. What he said?</p> <p>25 A. We were talking about that</p>
<p style="text-align: right;">Page 74</p> <p>1 P. MOMPLAISIR</p> <p>2 back. She wanted to see the papers that</p> <p>3 they say she signed.</p> <p>4 Q. Okay.</p> <p>5 What happened next? Did you</p> <p>6 talk to anybody else?</p> <p>7 A. Next? No. She -- go sit down,</p> <p>8 we'll get to you. That's next.</p> <p>9 Q. Okay.</p> <p>10 A. So we went to sit down. After</p> <p>11 a while, was taking a long time. Then --</p> <p>12 then Farah starting to get a little bit --</p> <p>13 you know, aggravated. You know? Because</p> <p>14 of the situation. And then she start</p> <p>15 talking a little bit loud. Then they tell</p> <p>16 her, oh, oh, we coming. We coming now.</p> <p>17 Just one minute and you going to talk to</p> <p>18 someone. Then --</p> <p>19 Q. When you said she started</p> <p>20 talking, she was aggravated and talking</p> <p>21 loud --</p> <p>22 A. She was talking loud. Why --</p> <p>23 Q. To who? To who?</p> <p>24 A. I'm sorry. To the lady. To</p> <p>25 the secretary.</p>	<p style="text-align: right;">Page 76</p> <p>1 P. MOMPLAISIR</p> <p>2 there's a car that's under her name. She</p> <p>3 wants to see the papers that she signed.</p> <p>4 Q. Okay.</p> <p>5 A. That was the conversation. But</p> <p>6 at that time they were waiting. They had</p> <p>7 all the information right there on the</p> <p>8 folder.</p> <p>9 Q. On the what?</p> <p>10 A. On the folder.</p> <p>11 Q. Folder?</p> <p>12 A. Mh-hm.</p> <p>13 Q. Where was the folder?</p> <p>14 A. On the desk.</p> <p>15 Q. So you're saying that the</p> <p>16 folder was already on the desk when you</p> <p>17 came --</p> <p>18 A. Yes.</p> <p>19 Q. -- to the office?</p> <p>20 A. Yes.</p> <p>21 Q. Okay.</p> <p>22 What was in the folder?</p> <p>23 A. The folder --</p> <p>24 MR. KESHAVARZ: Objection to</p> <p>25 form.</p>

19 (Pages 73 to 76)

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<p>1 P. MOMPLAISIR</p> <p>2 Q. Go ahead. You can answer.</p> <p>3 A. In the folder was I think</p> <p>4 information about the sale of the car.</p> <p>5 Q. Okay.</p> <p>6 Did you see what was in the</p> <p>7 folder?</p> <p>8 A. Yes.</p> <p>9 Q. Okay.</p> <p>10 Describe to me what you saw.</p> <p>11 A. I saw the registration of the</p> <p>12 car and I saw a few -- a few other papers</p> <p>13 that -- you know, when you sell the car,</p> <p>14 all those papers? They were there in that</p> <p>15 folder.</p> <p>16 Q. Did you personally look at</p> <p>17 those papers? Did you --</p> <p>18 A. Yes.</p> <p>19 Q. Did you put them in your hand</p> <p>20 and look at them and read them?</p> <p>21 A. Yes.</p> <p>22 Q. Okay.</p> <p>23 So what was the discussion that</p> <p>24 you had while you were looking at those</p> <p>25 papers?</p>	<p>1 P. MOMPLAISIR</p> <p>2 A. I cannot tell you when sir. I</p> <p>3 don't have -- I'm not good -- I don't the</p> <p>4 date.</p> <p>5 Q. Well, based on that appointment</p> <p>6 you read to us --</p> <p>7 A. Based on the appointments, yes.</p> <p>8 It was based on the appointment.</p> <p>9 Q. Okay.</p> <p>10 A. The second appointment.</p> <p>11 Q. Right. So that was during</p> <p>12 Covid, right?</p> <p>13 A. Yes.</p> <p>14 Q. There was plexi-glass up in the</p> <p>15 office?</p> <p>16 A. In the office? Plexi?</p> <p>17 Q. Where you were talking to these</p> <p>18 people.</p> <p>19 A. We had mask on. So I don't</p> <p>20 remember the other details. I don't think</p> <p>21 they had glass. No. I don't think so. On</p> <p>22 the table you're talking about or?</p> <p>23 Q. Yeah.</p> <p>24 A. No, no. I don't think so.</p> <p>25 Q. Between you and the person --</p>
Page 78	Page 80
<p>1 P. MOMPLAISIR</p> <p>2 A. Well, it was -- how will I</p> <p>3 explain this to you? It was like a little</p> <p>4 bit of jokes, a little bit of this.</p> <p>5 Talking about themselves, what they do.</p> <p>6 And -- I'm talking about the son and the</p> <p>7 father talking. They were talking.</p> <p>8 Q. Well, you're saying --</p> <p>9 A. They're talking -- you know,</p> <p>10 trying to break the ice.</p> <p>11 Q. Okay.</p> <p>12 But now you're saying the</p> <p>13 father, did there come a point that this</p> <p>14 person that you're saying -- said --</p> <p>15 identified as the father, come into the</p> <p>16 office?</p> <p>17 A. Yeah. He went -- he went. He</p> <p>18 said -- after he told us that's a little</p> <p>19 bit too much for me, I have to get my dad</p> <p>20 on this. He went and get the guy and said</p> <p>21 that's my dad and present himself and we</p> <p>22 talked.</p> <p>23 Q. Okay.</p> <p>24 Now, September of 2020, that's</p> <p>25 when this was, right?</p>	<p>1 P. MOMPLAISIR</p> <p>2 A. I don't think so.</p> <p>3 Q. -- that you were talking to?</p> <p>4 Plexi-glass?</p> <p>5 A. I think everybody was wearing a</p> <p>6 mask.</p> <p>7 Q. Okay.</p> <p>8 Everybody was wearing a mask,</p> <p>9 correct?</p> <p>10 A. I think so. I was wearing the</p> <p>11 mask.</p> <p>12 Q. What about --</p> <p>13 A. I don't think the father and</p> <p>14 son was wearing a mask. I don't think so.</p> <p>15 Q. You don't think so?</p> <p>16 A. No. I don't think so.</p> <p>17 Q. Describe generally how many</p> <p>18 people were around inside that dealership?</p> <p>19 Not in the office. Just generally around.</p> <p>20 A. Generally, they had a few</p> <p>21 people. A few people. A few.</p> <p>22 Q. Okay.</p> <p>23 A. People buying cars, people</p> <p>24 waiting for -- signing things, people</p> <p>25 waiting for -- they had a few people.</p>

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<p style="text-align: right;">Page 81</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. All right.</p> <p>3 A. Not too many. But they had a</p> <p>4 few people.</p> <p>5 Q. So you're in this office and</p> <p>6 you're talking now to two people, correct?</p> <p>7 A. Well, before we were talking to</p> <p>8 the son. Then the son go and get his</p> <p>9 father.</p> <p>10 Q. Right. Okay.</p> <p>11 There was a folder you said and</p> <p>12 you looked at papers inside the folder,</p> <p>13 right?</p> <p>14 A. Yeah. That's when -- that's</p> <p>15 when the dad was in. He was showing us the</p> <p>16 papers. So as soon -- he was showing the</p> <p>17 papers and Farah put -- Farah took a few</p> <p>18 pictures. And then he took the folder away</p> <p>19 from us.</p> <p>20 Q. Okay.</p> <p>21 Do you have copies of those</p> <p>22 photographs that she -- that you say she</p> <p>23 took of the documents?</p> <p>24 A. No.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 83</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. So the salesman was a black</p> <p>3 guy?</p> <p>4 A. Yeah. A black guy. Yes.</p> <p>5 Q. Okay.</p> <p>6 A. The salesman. So I don't know</p> <p>7 the reason he went to talk to him. And</p> <p>8 then when he come back, he told his dad the</p> <p>9 name. But exactly, I don't know why. But</p> <p>10 then I was like, why is he telling his dad</p> <p>11 the guy's name.</p> <p>12 Q. Okay.</p> <p>13 A. They did not have that</p> <p>14 conversation with us, why.</p> <p>15 Q. But you understand that the</p> <p>16 name was the name of the black guy?</p> <p>17 A. Yeah. Because he went to talk</p> <p>18 to the guy.</p> <p>19 Q. The salesman, the black guy?</p> <p>20 A. Yeah, yeah. Black guy,</p> <p>21 salesman.</p> <p>22 Q. So what happened next? You</p> <p>23 looked at some documents in the folder --</p> <p>24 A. We looked at some documents.</p> <p>25 And I think Farah took a picture, either</p>
<p style="text-align: right;">Page 82</p> <p>1 P. MOMPLAISIR</p> <p>2 A. I don't.</p> <p>3 MR. GOODMAN: Continue to call</p> <p>4 for the production of those</p> <p>5 photographs and all the other items</p> <p>6 that are outstanding that would</p> <p>7 identify documents, if any, that were</p> <p>8 photographed that day.</p> <p>9 Q. All right. Mr. Momplaisir,</p> <p>10 what -- so after looking at those documents</p> <p>11 what happened next?</p> <p>12 A. After we looked he said that --</p> <p>13 before that -- before that, the son go out</p> <p>14 and talk to a guy in the outside. And when</p> <p>15 he come back he told the dad the name of</p> <p>16 the guy.</p> <p>17 Q. What was that name?</p> <p>18 A. I don't know. I don't</p> <p>19 remember.</p> <p>20 Q. Who was that supposed to be,</p> <p>21 that guy?</p> <p>22 A. A black guy. A black guy</p> <p>23 outside. He was one of those -- how will I</p> <p>24 call him? The guy who sell cars. A</p> <p>25 salesman.</p>	<p style="text-align: right;">Page 84</p> <p>1 P. MOMPLAISIR</p> <p>2 the registration or something. And he</p> <p>3 said, no, no, no, you guys cannot take</p> <p>4 pictures. And he took the folder away from</p> <p>5 us.</p> <p>6 Q. Okay.</p> <p>7 Then what happened next?</p> <p>8 A. Next he said, well, that -- he</p> <p>9 was worried about paying for the car.</p> <p>10 Q. Who? I'm sorry.</p> <p>11 A. The owner.</p> <p>12 Q. Was more worried, what do you</p> <p>13 mean by that?</p> <p>14 A. To me, he was worried. He</p> <p>15 said, oh, you know what? We can make your</p> <p>16 problems go away. We could pay the car.</p> <p>17 And -- you know, get us the title.</p> <p>18 Q. They asked you to get the</p> <p>19 title, right?</p> <p>20 A. Yeah. Get the title with them.</p> <p>21 Q. Okay.</p> <p>22 They asked that to Farah also,</p> <p>23 correct?</p> <p>24 A. No, not to me. To Farah. Of</p> <p>25 course.</p>

21 (Pages 81 to 84)

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<p style="text-align: right;">Page 85</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. To Farah. Right.</p> <p>3 A. But I was there too so.</p> <p>4 Q. Okay.</p> <p>5 They asked her to get the title</p> <p>6 to them --</p> <p>7 A. Yeah.</p> <p>8 Q. -- so that they could fix this</p> <p>9 problem, right?</p> <p>10 A. Exactly.</p> <p>11 Q. Right. But Farah never gave</p> <p>12 them the title, did she?</p> <p>13 MR. KESHAVARZ: Objection to</p> <p>14 form.</p> <p>15 Q. Do you know whether Farah ever</p> <p>16 delivered the title to the dealership?</p> <p>17 A. No.</p> <p>18 Q. Do you know that she refused to</p> <p>19 deliver the title, even though they asked</p> <p>20 and told her that would help resolve the</p> <p>21 problem?</p> <p>22 A. Not because of that.</p> <p>23 MR. KESHAVARZ: Objection to</p> <p>24 form.</p> <p>25 A. Not because of that. Not</p>	<p style="text-align: right;">Page 87</p> <p>1 P. MOMPLAISIR</p> <p>2 rest of the conversation that you remember?</p> <p>3 A. Then he say something that make</p> <p>4 no sense to us. He say, oh, you know, it</p> <p>5 was the pandemic, everybody was wearing a</p> <p>6 mask. And we say that make no sense. And</p> <p>7 he said, oh, anyway, a man will come here</p> <p>8 with your ID, we thought that you gave him</p> <p>9 the ID to come and buy the car.</p> <p>10 Q. Okay.</p> <p>11 And did you know who Emmanuel</p> <p>12 was at that time?</p> <p>13 A. No, No. I did not.</p> <p>14 Q. Well, you saw the name --</p> <p>15 A. Well, I don't know.</p> <p>16 Q. You saw the name Laforest,</p> <p>17 correct?</p> <p>18 A. Yeah, of course.</p> <p>19 Q. And you knew that this was</p> <p>20 Emmanuel Laforest --</p> <p>21 A. No, no, no. She knew him.</p> <p>22 Farah knew him.</p> <p>23 Q. Right.</p> <p>24 A. Yeah.</p> <p>25 Q. And you knew that -- you also</p>
<p style="text-align: right;">Page 86</p> <p>1 P. MOMPLAISIR</p> <p>2 because of that.</p> <p>3 Q. Not because of what?</p> <p>4 A. Because the dealer -- the</p> <p>5 dealer is a dealer, they must have all the</p> <p>6 paperwork. They cannot -- they have all</p> <p>7 those things. If they wanted to they could</p> <p>8 have done it. I think it was a way of</p> <p>9 playing her around. That was my thinking.</p> <p>10 Q. Right.</p> <p>11 MR. GOODMAN: Move to strike</p> <p>12 the nonresponsive.</p> <p>13 Q. Other than asking for the</p> <p>14 title, what else -- was there anything else</p> <p>15 in the conversation that you remember?</p> <p>16 A. She ask him, how -- how did you</p> <p>17 sell someone a car under my name while I</p> <p>18 wasn't there.</p> <p>19 Q. Yeah. And what was the answer?</p> <p>20 A. The dad said that -- you know,</p> <p>21 it was pandemic, and they came in with your</p> <p>22 ID. And we though you give him your ID to</p> <p>23 come in and buy the car.</p> <p>24 Q. Okay.</p> <p>25 What else did the -- what's the</p>	<p style="text-align: right;">Page 88</p> <p>1 P. MOMPLAISIR</p> <p>2 knew her husband, Stanley Laforest, right?</p> <p>3 A. Stanley. Yeah, yeah, of</p> <p>4 course.</p> <p>5 Q. So you recognize the name</p> <p>6 Laforest?</p> <p>7 A. Yes, I did.</p> <p>8 Q. And you know that Emmanuel</p> <p>9 Laforest was Stanley Laforest's brother,</p> <p>10 correct?</p> <p>11 A. No. I did not know. I know --</p> <p>12 I asked Farah, who is that?</p> <p>13 Q. And what did she say?</p> <p>14 A. She told me that's Stanley's</p> <p>15 brother.</p> <p>16 Q. Okay.</p> <p>17 And did she tell you that he</p> <p>18 lived at the same address that she lived at</p> <p>19 with Stanley?</p> <p>20 A. No. She -- no.</p> <p>21 Q. Okay.</p> <p>22 What happened next? What's the</p> <p>23 next part of the conversation, if there was</p> <p>24 any?</p> <p>25 A. The next part was like, okay,</p>

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<p style="text-align: right;">Page 89</p> <p>1 P. MOMPLAISIR</p> <p>2 guys, get me the title and I will pay for</p> <p>3 the car.</p> <p>4 Q. Okay.</p> <p>5 And what was the response?</p> <p>6 What did Farah say in response to that?</p> <p>7 A. In response to that, what did</p> <p>8 she say? She said something to the effect</p> <p>9 of, all right, I will call you. Something</p> <p>10 like that. But when she left, they been</p> <p>11 calling her. They keep calling. Someone</p> <p>12 keep calling from the -- from the thing.</p> <p>13 Q. How do you know that?</p> <p>14 A. She told me.</p> <p>15 Q. Okay.</p> <p>16 Did she tell you that the</p> <p>17 dealership recovered the BMW, that they got</p> <p>18 it back?</p> <p>19 A. No, no.</p> <p>20 Q. Okay.</p> <p>21 A. We don't know that. I don't</p> <p>22 know. Myself, I don't know that, if the</p> <p>23 car is back. Because all the time they</p> <p>24 were calling. They were saying that --</p> <p>25 they were asking him to bring the car in</p>	<p style="text-align: right;">Page 91</p> <p>1 P. MOMPLAISIR</p> <p>2 trip to the dealership -- you're sure there</p> <p>3 were two trips, right?</p> <p>4 A. Only for me, yes. Two trips.</p> <p>5 Q. Okay.</p> <p>6 Second one, anything else that</p> <p>7 happened there, any other conversation that</p> <p>8 happened there that you haven't already</p> <p>9 told us?</p> <p>10 MR. KESHAVARZ: Objection to</p> <p>11 form.</p> <p>12 A. I doubt it. I told you that</p> <p>13 all he said about the -- about the cars and</p> <p>14 everything. That's it.</p> <p>15 Q. Okay.</p> <p>16 What's the next conversation</p> <p>17 you had with Farah about this situation</p> <p>18 after you left the dealership?</p> <p>19 A. What she's going to do.</p> <p>20 Q. What was she going to do?</p> <p>21 A. They -- she didn't really</p> <p>22 exactly know what to do.</p> <p>23 Q. Did you advise her on what to</p> <p>24 do?</p> <p>25 A. Yeah. I advise her to check</p>
<p style="text-align: right;">Page 90</p> <p>1 P. MOMPLAISIR</p> <p>2 and stuff like that.</p> <p>3 Q. Okay.</p> <p>4 But she never told you that</p> <p>5 they brought -- that he brought the car</p> <p>6 back?</p> <p>7 A. No. I don't know that part.</p> <p>8 No.</p> <p>9 Q. And she never --</p> <p>10 A. By that time she was more</p> <p>11 worried about the credit, the money that</p> <p>12 she owes, all those things under her name.</p> <p>13 She was worried about that than the car.</p> <p>14 Q. Okay.</p> <p>15 But she never told you, they</p> <p>16 got the car back, and they just --</p> <p>17 A. No.</p> <p>18 Q. -- need the title to get this</p> <p>19 all taken care of?</p> <p>20 A. No.</p> <p>21 Q. Never told you that?</p> <p>22 A. No, no.</p> <p>23 Q. Okay.</p> <p>24 Is there anything else about</p> <p>25 your second, what you say was your second</p>	<p style="text-align: right;">Page 92</p> <p>1 P. MOMPLAISIR</p> <p>2 her -- you know, try to get -- to see how</p> <p>3 bad is her credit. And check Experian,</p> <p>4 check TransUnion, check everybody -- Credit</p> <p>5 Karma, to see what she could find out.</p> <p>6 That was my advice to her.</p> <p>7 Q. Okay.</p> <p>8 Did she tell you what she found</p> <p>9 out?</p> <p>10 A. Well, she found out that she</p> <p>11 owed a lot of money to Capital One.</p> <p>12 Q. Did she ever tell you that</p> <p>13 Capital One said, you don't owe us the</p> <p>14 money anymore?</p> <p>15 A. No, no, no.</p> <p>16 Q. Did she ever tell you that?</p> <p>17 A. No.</p> <p>18 Q. Did she ever tell you that her</p> <p>19 credit score actually went up after this</p> <p>20 happened --</p> <p>21 A. No.</p> <p>22 Q. -- this event with the BMW?</p> <p>23 A. No.</p> <p>24 Q. She didn't tell you that? What</p> <p>25 did she tell you about her credit score?</p>

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<p>1 P. MOMPLAISIR</p> <p>2 A. The credit score, all I was</p> <p>3 telling her -- I was explaining to her how</p> <p>4 to get it back up.</p> <p>5 Q. Okay.</p> <p>6 A. I was telling her to go put</p> <p>7 money in the bank and -- well, go put money</p> <p>8 in the bank and borrow money against it.</p> <p>9 That's a way of getting your credit up.</p> <p>10 And I was telling her instead of making one</p> <p>11 payment, make two payments. That's another</p> <p>12 way of putting your credit up. I was</p> <p>13 telling her things to do.</p> <p>14 Q. Did she do those things, do you</p> <p>15 know?</p> <p>16 A. I remember -- I remember she</p> <p>17 did -- I don't know when, but I remember</p> <p>18 she did the deposit. Deposit like a</p> <p>19 thousand dollars and borrow again the</p> <p>20 thousand dollars. I remember she did those</p> <p>21 things.</p> <p>22 Q. When did she do that?</p> <p>23 A. I don't -- I don't know dates.</p> <p>24 But she did it.</p> <p>25 Q. Did you advise her to go to the</p>	<p>1 P. MOMPLAISIR</p> <p>2 Q. The end of the case?</p> <p>3 A. The end of the case? I don't</p> <p>4 know.</p> <p>5 Q. Do you think -- is the case</p> <p>6 still going on?</p> <p>7 A. I do not know because -- you</p> <p>8 know -- I -- remember, I'm kind of a little</p> <p>9 bit busy too.</p> <p>10 Q. Mh-hm.</p> <p>11 A. I don't remember those. I</p> <p>12 don't remember. I don't have that</p> <p>13 information.</p> <p>14 Q. Did you advise her to hire an</p> <p>15 attorney?</p> <p>16 A. Yes.</p> <p>17 Q. When was that?</p> <p>18 A. A long time ago. Since the</p> <p>19 thing happened.</p> <p>20 Q. Was it in 2020 -- the year</p> <p>21 2020?</p> <p>22 A. At the time the thing happened</p> <p>23 I told her I think you need an attorney.</p> <p>24 Q. Okay.</p> <p>25 Do you know whether she got --</p>
Page 94	Page 96
<p>1 P. MOMPLAISIR</p> <p>2 police about Emmanuel Laforest?</p> <p>3 A. Yes.</p> <p>4 Q. Do you know if she did?</p> <p>5 A. I know she went to the police</p> <p>6 and explained to them what happened.</p> <p>7 Q. Okay.</p> <p>8 Did she tell you that the</p> <p>9 police filed a case against Emmanuel</p> <p>10 Laforest?</p> <p>11 A. I think they did. But I'm not</p> <p>12 sure. I'm not sure exactly. But I think</p> <p>13 they did.</p> <p>14 Q. Okay.</p> <p>15 Do you know why she dropped</p> <p>16 that case against Emmanuel Laforest?</p> <p>17 MR. KESHAVARZ: Objection to</p> <p>18 form.</p> <p>19 Q. You can answer.</p> <p>20 A. Dropped? I don't know. I</p> <p>21 don't know about that.</p> <p>22 Q. Okay.</p> <p>23 She never talked to you about</p> <p>24 that case?</p> <p>25 A. Dropping the case? No.</p>	<p>1 P. MOMPLAISIR</p> <p>2 when she got hired an attorney?</p> <p>3 A. No. I don't know the time.</p> <p>4 Q. Okay.</p> <p>5 When is the last time you</p> <p>6 talked to Farah Francois?</p> <p>7 A. Yesterday.</p> <p>8 Q. What did you talk about?</p> <p>9 A. How she was doing.</p> <p>10 Q. Okay.</p> <p>11 Did you tell her I'm going to</p> <p>12 be a witness in your case tomorrow?</p> <p>13 A. Yes.</p> <p>14 Q. Okay.</p> <p>15 Did you talk to her about what</p> <p>16 your testimony would be?</p> <p>17 A. No.</p> <p>18 Q. Not at all?</p> <p>19 A. No. We -- I just said, you</p> <p>20 know, I know what's going on. I was there.</p> <p>21 That's it -- about it.</p> <p>22 Q. Did she tell you anything about</p> <p>23 her current credit situation?</p> <p>24 A. No.</p> <p>25 Q. Did she tell you anything about</p>

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<p style="text-align: right;">Page 97</p> <p>1 P. MOMPLAISIR</p> <p>2 the claims that she has for money that she</p> <p>3 said she lost as a result of this incident?</p> <p>4 A. No.</p> <p>5 Q. Okay.</p> <p>6 Do you know what Farah Francois</p> <p>7 wants out of this case?</p> <p>8 A. I really do not know. Maybe to</p> <p>9 clean her credit up, I guess.</p> <p>10 Q. Okay.</p> <p>11 Do you know how much money --</p> <p>12 A. Because money --</p> <p>13 Q. Do you know how much money</p> <p>14 she's looking for?</p> <p>15 A. No, I don't know sir.</p> <p>16 Q. Okay.</p> <p>17 Did she tell you that the</p> <p>18 dealership had offered her money to settle</p> <p>19 this case?</p> <p>20 A. I think she mentioned something</p> <p>21 like that.</p> <p>22 Q. What did she say about it?</p> <p>23 A. I think she mentioned something</p> <p>24 about like \$5,000 or something.</p> <p>25 Q. Okay. Go ahead.</p>	<p style="text-align: right;">Page 99</p> <p>1 P. MOMPLAISIR</p> <p>2 the dealership, you were inside an office</p> <p>3 that had a closing door?</p> <p>4 A. Yes. You know those glass</p> <p>5 doors? Yeah.</p> <p>6 Q. Okay.</p> <p>7 Were you sitting down, standing</p> <p>8 up, something else?</p> <p>9 A. Sitting down.</p> <p>10 Q. Okay.</p> <p>11 I want to make sure that we --</p> <p>12 I know all the number of people that you</p> <p>13 spoke to. Let's go back to the first</p> <p>14 visit. That was the receptionist and then</p> <p>15 a guy, that you described as taller than</p> <p>16 you, and that was it, just those two</p> <p>17 people? Correct?</p> <p>18 A. Yes. Yes.</p> <p>19 Q. And on the second visit, it was</p> <p>20 the receptionist and the two individuals</p> <p>21 that you're saying identified themselves as</p> <p>22 father and son, correct?</p> <p>23 A. Yes.</p> <p>24 Q. Nobody else, correct?</p> <p>25 A. Us talking to other people?</p>
<p style="text-align: right;">Page 98</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Something like that. I don't</p> <p>3 remember exactly. Because I was --</p> <p>4 Q. When was it --</p> <p>5 A. I was --</p> <p>6 Q. When did she mention that to</p> <p>7 you?</p> <p>8 A. Not too long ago. Not too long</p> <p>9 ago.</p> <p>10 Q. Well, not too long ago,</p> <p>11 meaning, the last few weeks?</p> <p>12 A. Yeah. The last few weeks.</p> <p>13 Yes.</p> <p>14 Q. Okay.</p> <p>15 What did she say about that?</p> <p>16 A. I was like -- she didn't say</p> <p>17 much. She was at work.</p> <p>18 Q. Okay.</p> <p>19 Did she say how much she</p> <p>20 wanted, if \$5,000 was enough?</p> <p>21 A. No. I don't know. She never</p> <p>22 mentioned money. We never talked about</p> <p>23 money.</p> <p>24 Q. Okay.</p> <p>25 When you were in that office in</p>	<p style="text-align: right;">Page 100</p> <p>1 P. MOMPLAISIR</p> <p>2 No. Me? No.</p> <p>3 Q. They talked to the black</p> <p>4 salesman, but you didn't actually talk to</p> <p>5 him, right?</p> <p>6 A. No. I did not talk.</p> <p>7 Q. Okay.</p> <p>8 MR. GOODMAN: Give me a minute.</p> <p>9 I may be finished. But I need a</p> <p>10 second here.</p> <p>11 Actually, let's take a five</p> <p>12 minute break. Please. And we'll be</p> <p>13 back.</p> <p>14 (Whereupon, a short recess was</p> <p>15 taken.)</p> <p>16 Q. So other than your work with</p> <p>17 Momplaisir Inc., the shipping company that</p> <p>18 you described to us earlier, do you have</p> <p>19 any other source of income?</p> <p>20 A. Yes. I'm a -- I play music.</p> <p>21 Sometimes I do Uber. And I sell and resell</p> <p>22 stuff. You know, I do a lot of things.</p> <p>23 Q. Okay.</p> <p>24 What music do you play?</p> <p>25 A. Haitian music. I'm from Haiti.</p>

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Page 101	Page 103
<p>1 P. MOMPLAISIR</p> <p>2 Q. Where do you play that music?</p> <p>3 A. I'm a ghostwriter.</p> <p>4 Q. A what?</p> <p>5 A. I'm a ghostwriter.</p> <p>6 Q. Ghostwriter?</p> <p>7 A. Yes. I write music for the</p> <p>8 stars.</p> <p>9 Q. Okay.</p> <p>10 But do you -- you say you play</p> <p>11 music?</p> <p>12 A. Yeah, yeah. I play keyboard.</p> <p>13 Yes.</p> <p>14 Q. Play keyboard. Okay.</p> <p>15 You do that with other people</p> <p>16 or alone?</p> <p>17 A. Sometimes.</p> <p>18 Q. Okay.</p> <p>19 You generate some income from</p> <p>20 doing that?</p> <p>21 A. Of course.</p> <p>22 Q. All right.</p> <p>23 When is the last time you drove</p> <p>24 for Uber?</p> <p>25 A. When was that in? I think</p>	<p>1 P. MOMPLAISIR</p> <p>2 Q. That's on and off for Uber for</p> <p>3 six years?</p> <p>4 A. On and off for Uber, yeah. On</p> <p>5 and off.</p> <p>6 Q. Okay.</p> <p>7 How about, do you also drive</p> <p>8 for Lyft?</p> <p>9 A. No. Never.</p> <p>10 Q. Any other delivery service</p> <p>11 other --</p> <p>12 A. No, no, no.</p> <p>13 Q. -- than Uber?</p> <p>14 A. I don't have to do it.</p> <p>15 Q. Okay. Any other --</p> <p>16 A. Financially -- financially I'm</p> <p>17 very -- I'm okay.</p> <p>18 Q. Okay.</p> <p>19 So we talked about your</p> <p>20 shipping company, Uber, music. Anything</p> <p>21 else? You said you do a lot of things.</p> <p>22 A. I do a lot of things. I sell</p> <p>23 hair. I do a lot of stuff. A lot, a lot</p> <p>24 of stuff. Financially I'm perfect. I</p> <p>25 don't have any problem.</p>
Page 102	Page 104
<p>1 P. MOMPLAISIR</p> <p>2 yesterday I did a few hours.</p> <p>3 Q. Okay.</p> <p>4 A. Couple of hours yesterday.</p> <p>5 Q. Okay.</p> <p>6 Did you -- did Farah Francois</p> <p>7 ever drive for Uber?</p> <p>8 A. I don't know.</p> <p>9 Q. How about for Lyft?</p> <p>10 A. I don't know.</p> <p>11 Q. How --</p> <p>12 A. I don't think so.</p> <p>13 Q. Okay.</p> <p>14 A. I don't think so. She was</p> <p>15 working for TD Bank when all those things</p> <p>16 happened.</p> <p>17 Q. Okay.</p> <p>18 How long have you been driving</p> <p>19 for Uber?</p> <p>20 A. Oh, I had my license for a long</p> <p>21 time.</p> <p>22 Q. Okay.</p> <p>23 But how long is a long time?</p> <p>24 A. About, I will say on and off</p> <p>25 about six years.</p>	<p>1 P. MOMPLAISIR</p> <p>2 Q. What do you mean you sell hair?</p> <p>3 A. I sell hair. You want any --</p> <p>4 you know, woman hair, like human hair.</p> <p>5 Q. Okay.</p> <p>6 How long have you been doing</p> <p>7 that?</p> <p>8 A. Long time.</p> <p>9 Q. Okay.</p> <p>10 Anything else you want to tell</p> <p>11 us about?</p> <p>12 A. Yeah, yeah. I do -- I do a lot</p> <p>13 of stuff, but it's not related to anything.</p> <p>14 Financially -- you want to know if</p> <p>15 financially I'm secure? Yes, I am.</p> <p>16 Q. Okay.</p> <p>17 What is your highest level of</p> <p>18 education?</p> <p>19 A. Music diploma. I have music</p> <p>20 engineer -- music engineering.</p> <p>21 Q. When did you receive that?</p> <p>22 What is that, a degree or?</p> <p>23 A. 19 -- a long time ago. 1995.</p> <p>24 That was -- let me see. Before AT&T.</p> <p>25 Before I worked for AT&T. Yeah. It was in</p>

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<p>1 P. MOMPLAISIR</p> <p>2 the 1990s, closer to 2000. Something like</p> <p>3 that.</p> <p>4 Q. Was that a degree, a</p> <p>5 certificate?</p> <p>6 A. It's a diploma I guess.</p> <p>7 Q. From an educational</p> <p>8 institution --</p> <p>9 A. Education, yes, yes.</p> <p>10 Q. In the US?</p> <p>11 A. In US, yes.</p> <p>12 Q. In New York City?</p> <p>13 A. In New York City, yes.</p> <p>14 Q. Have you ever lived anywhere in</p> <p>15 the US, other than New York City?</p> <p>16 A. When I retired at 33 I went to</p> <p>17 Florida.</p> <p>18 Q. You -- what did you say? You</p> <p>19 retired at 33?</p> <p>20 A. When I retired at 33 I went to</p> <p>21 Florida.</p> <p>22 Q. You retired at 33?</p> <p>23 A. Yes.</p> <p>24 Q. Okay.</p> <p>25 When did you go to Florida?</p>	<p>1 P. MOMPLAISIR</p> <p>2 AT&T?</p> <p>3 A. Five, six years.</p> <p>4 Q. What was your position there?</p> <p>5 A. Bilingual operator.</p> <p>6 Q. Okay.</p> <p>7 And that ended -- what? Around</p> <p>8 the year 2000 or so?</p> <p>9 A. Yeah. Well, before that.</p> <p>10 Before. Maybe a little bit before that.</p> <p>11 Q. Before 9/11?</p> <p>12 A. No. After 9/11. I think after</p> <p>13 9/11.</p> <p>14 Q. Okay.</p> <p>15 That address that you gave us</p> <p>16 on 145th -- I'm sorry --</p> <p>17 A. Yes. I been there all my life.</p> <p>18 Yes.</p> <p>19 Q. Even when you were in Miami?</p> <p>20 A. Yeah.</p> <p>21 Q. You kept that address?</p> <p>22 A. Of course.</p> <p>23 Q. Okay.</p> <p>24 Do you own that or rent it</p> <p>25 or --</p>
Page 106	Page 108
<p>1 P. MOMPLAISIR</p> <p>2 A. Huh?</p> <p>3 Q. You went to Florida when you</p> <p>4 were 33 years old?</p> <p>5 A. Yeah.</p> <p>6 Q. And then you came back here at</p> <p>7 some point?</p> <p>8 A. I couldn't take Florida. Too</p> <p>9 slow for me.</p> <p>10 Q. Okay.</p> <p>11 How long were you in Florida?</p> <p>12 A. A year. And the business,</p> <p>13 remember, the business is still there. So</p> <p>14 I say a year. One place -- we had offices</p> <p>15 in Florida and stuff like that. I was</p> <p>16 trying to see if I could -- you know -- but</p> <p>17 Florida was not for me.</p> <p>18 Q. Okay.</p> <p>19 You said, you mentioned that</p> <p>20 you worked for AT&T, when was that?</p> <p>21 A. In between when I was going to</p> <p>22 school and stuff like that I worked for</p> <p>23 AT&T. Right after I got my diploma I</p> <p>24 worked for AT&T.</p> <p>25 Q. For how long did you work for</p>	<p>1 P. MOMPLAISIR</p> <p>2 A. No.</p> <p>3 Q. -- something else?</p> <p>4 A. Rent, rent, rent.</p> <p>5 Q. Okay.</p> <p>6 Who lives there now?</p> <p>7 A. Irrelevant.</p> <p>8 Q. Irrelevant?</p> <p>9 A. No, I don't want to answer</p> <p>10 that.</p> <p>11 MR. KESHAVARZ: It's a</p> <p>12 non-party witness in this case. It's</p> <p>13 personal issues which are boarder</p> <p>14 line abusive. So if there's a reason</p> <p>15 why this is even ballpark relevant --</p> <p>16 MR. GOODMAN: Well, of course</p> <p>17 it's relevant. You should know that.</p> <p>18 The issue certainly has to do with</p> <p>19 Farah Francois' own testimony about</p> <p>20 her residential testimony.</p> <p>21 MR. KESHAVARZ: Well, then ask</p> <p>22 him if Farah Francois lives there,</p> <p>23 but don't -- not like if anybody</p> <p>24 lives there.</p> <p>25 MR. GOODMAN: That's perfectly</p>

27 (Pages 105 to 108)

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<p style="text-align: right;">Page 109</p> <p>1 P. MOMPLAISIR</p> <p>2 legitimate.</p> <p>3 Q. Sir, you can answer the</p> <p>4 question sir.</p> <p>5 MR. KESHAVARZ: No. Wait.</p> <p>6 That's getting into a personal matter</p> <p>7 for a non-party witness. Obviously</p> <p>8 he feels uncomfortable --</p> <p>9 MR. GOODMAN: Okay. Well, you</p> <p>10 represent him. So he's now a</p> <p>11 represented witness. Look, Ahmad,</p> <p>12 you know the rules. It's objection</p> <p>13 to form. That's all you're allowed.</p> <p>14 MR. KESHAVARZ: No. Unless</p> <p>15 it's abusive.</p> <p>16 MR. GOODMAN: Okay. That's not</p> <p>17 abusive. We can -- if you want to</p> <p>18 mark it for a ruling, we'll mark it</p> <p>19 for a ruling.</p> <p>20 MR. KESHAVARZ: If you want to</p> <p>21 ask if Farah lives there, that's</p> <p>22 fine.</p> <p>23 MR. GOODMAN: No.</p> <p>24 MR. KESHAVARZ: Ask him if</p> <p>25 Emmanuel lives there, that's fine.</p>	<p style="text-align: right;">Page 111</p> <p>1 P. MOMPLAISIR</p> <p>2 Q. No, I'm asking if you know who</p> <p>3 it is?</p> <p>4 A. No. You have to ask her.</p> <p>5 Q. Okay.</p> <p>6 Where is that? What address is</p> <p>7 that?</p> <p>8 A. She lives on 719 West 180th</p> <p>9 Street. 180. Yeah. It's -- I'm not sure</p> <p>10 of the zip code, but I know it's between</p> <p>11 Broadway and Fort Washington.</p> <p>12 Q. That's in Manhattan, correct?</p> <p>13 A. That's in Manhattan, yes.</p> <p>14 Q. Okay.</p> <p>15 Did you graduate from high</p> <p>16 school?</p> <p>17 A. Yes. I graduate from high</p> <p>18 school here in New York City. Yes.</p> <p>19 Q. What --</p> <p>20 A. New York City high school.</p> <p>21 Q. What high school? What was the</p> <p>22 name of it?</p> <p>23 A. Brandeis High School.</p> <p>24 Q. Brandeis High School. What</p> <p>25 year was that?</p>
<p style="text-align: right;">Page 110</p> <p>1 P. MOMPLAISIR</p> <p>2 MR. GOODMAN: No.</p> <p>3 Q. My question is, with whom do</p> <p>4 you reside at that residence?</p> <p>5 MR. KESHAVARZ: Objection.</p> <p>6 Q. You don't have to name --</p> <p>7 Redacted</p> <p>8</p> <p>9</p> <p>10 Q. Okay.</p> <p>11 And when is the last time Farah</p> <p>12 Francois slept at that apartment?</p> <p>13 A. Can't remember.</p> <p>14 Q. Okay.</p> <p>15 But was it after -- you know</p> <p>16 that there came a time that she left</p> <p>17 Brooklyn, correct?</p> <p>18 A. She's by aunt when she left.</p> <p>19 Q. Okay.</p> <p>20 Who's her aunt?</p> <p>21 A. You have to ask her.</p> <p>22 Q. You don't know?</p> <p>23 A. Father's side.</p> <p>24 Q. But you don't know who it is?</p> <p>25 A. That's her father's side.</p>	<p style="text-align: right;">Page 112</p> <p>1 P. MOMPLAISIR</p> <p>2 A. I don't remember. Long time</p> <p>3 ago sir.</p> <p>4 Q. So you -- how much schooling</p> <p>5 did you have in the United States as</p> <p>6 opposed to Haiti?</p> <p>7 A. I came here when I was 12.</p> <p>8 They skipped me a grade. I graduated when</p> <p>9 I was 18. Haiti, I start school at three.</p> <p>10 Three to twelve. That's about nine years.</p> <p>11 From here I think I did three years here in</p> <p>12 high school. That's about 12 years all</p> <p>13 together.</p> <p>14 Q. Okay.</p> <p>15 The first day that you went to</p> <p>16 the dealership with Farah what was the</p> <p>17 weather like that day?</p> <p>18 A. I think good weather. I don't</p> <p>19 remember. I don't remember exactly. But I</p> <p>20 think the weather was okay.</p> <p>21 Q. What about the second day?</p> <p>22 A. I don't remember, but I think</p> <p>23 it was okay.</p> <p>24 MR. GOODMAN: Okay. I have no</p> <p>25 further question.</p>

28 (Pages 109 to 112)

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<p style="text-align: right;">Page 113</p> <p>1 P. MOMPLAISIR</p> <p>2 MR. KESHAVARZ: Okay. I have a</p> <p>3 couple of questions. And I'm</p> <p>4 emailing an exhibit to the --</p> <p>5 THE WITNESS: Can you talk a</p> <p>6 little bit louder, please? Because I</p> <p>7 cannot hear you.</p> <p>8 MR. KESHAVARZ: I just emailed</p> <p>9 -- can you hear me better now?</p> <p>10 THE WITNESS: Yeah, yeah. Go</p> <p>11 ahead.</p> <p>12 MR. KESHAVARZ: I just emailed</p> <p>13 an exhibit to the court reporter and</p> <p>14 to the opposing counsel.</p> <p>15 EXAMINATION BY</p> <p>16 MR. KESHAVARZ</p> <p>17 Q. And I emailed it to you a</p> <p>18 couple of minutes ago. Can you look at</p> <p>19 your email please?</p> <p>20 A. Yes.</p> <p>21 Q. Okay.</p> <p>22 Can you open up the email,</p> <p>23 there's a document called Papito Depo</p> <p>24 Exhibit 1, do you see that?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 115</p> <p>1 P. MOMPLAISIR</p> <p>2 THE WITNESS: Cannot hear.</p> <p>3 MR. KESHAVARZ: Have you gotten</p> <p>4 the email yet?</p> <p>5 THE COURT REPORTER: The email</p> <p>6 that I got is pictures.</p> <p>7 MR. KESHAVARZ: Yes. And it's</p> <p>8 -- when you're finished marking it</p> <p>9 Madam Court Reporter, I'll explain</p> <p>10 it.</p> <p>11 THE COURT REPORTER: Give me</p> <p>12 one second. I'll mark it now.</p> <p>13 (Whereupon, an off-the-record</p> <p>14 discussion was held.)</p> <p>15 (Whereupon, photographs were</p> <p>16 marked as Momplaisir Depo Exhibit 1</p> <p>17 for identification as of this date by</p> <p>18 the Reporter.)</p> <p>19 Q. Mr. Momplaisir, are you able to</p> <p>20 look at that document? Well, can you look</p> <p>21 at the document that I just emailed you</p> <p>22 called Papito Depo Exhibit 1? Can you open</p> <p>23 that file?</p> <p>24 A. Yes, yes. I opened the file.</p> <p>25 Q. Okay.</p>
<p style="text-align: right;">Page 114</p> <p>1 P. MOMPLAISIR</p> <p>2 MR. GOODMAN: Counsel, I see a</p> <p>3 Francois Supplemental doc production</p> <p>4 1. I don't see a Papito exhibit.</p> <p>5 MR. KESHAVARZ: I sent that to</p> <p>6 you at 1:00 p.m. It was just sent to</p> <p>7 you.</p> <p>8 MR. GOODMAN: I know. That's</p> <p>9 what I just opened. Hold on. Let me</p> <p>10 look again.</p> <p>11 MR. KESHAVARZ: It's</p> <p>12 bate-stamped, but the file is called</p> <p>13 Papito Depo Exhibit 1.</p> <p>14 MR. GOODMAN: Okay. Yeah.</p> <p>15 THE WITNESS: It's the same</p> <p>16 thing. It says Papito Depo Exhibit</p> <p>17 1.</p> <p>18 MR. GOODMAN: That's name of</p> <p>19 the document, but the actual exhibit</p> <p>20 is bate-stamped Francois Supplemental</p> <p>21 Doc Production 1, correct?</p> <p>22 MR. KESHAVARZ: Yes. 1-4.</p> <p>23 I would like to have the court</p> <p>24 reporter mark this as Mompaisir</p> <p>25 Exhibit 1.</p>	<p style="text-align: right;">Page 116</p> <p>1 P. MOMPLAISIR</p> <p>2 Is it four pages of</p> <p>3 photographs?</p> <p>4 A. Yes.</p> <p>5 Q. On the lower right hand side of</p> <p>6 the first picture it says Francois Supp Doc</p> <p>7 Production 1, do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. I'll represent this is Francois</p> <p>10 Supp Doc Production 1-4.</p> <p>11 A. Yes.</p> <p>12 Q. I want you to look at the</p> <p>13 picture and tell me if you can identify any</p> <p>14 of the people in the photos?</p> <p>15 A. The first three is the father</p> <p>16 and the son.</p> <p>17 Q. Do you remember which is the</p> <p>18 father and which one is the son?</p> <p>19 A. No.</p> <p>20 Q. Are you sure he is the father</p> <p>21 -- the people who identified themselves as</p> <p>22 the father and the son when you went to the</p> <p>23 dealership the second time, are you sure</p> <p>24 that's these two people?</p> <p>25 MR. GOODMAN: Object to form.</p>

29 (Pages 113 to 116)

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<p style="text-align: right;">Page 117</p> <p>1 P. MOMPLAISIR</p> <p>2 A. Those two, yes. Those two,</p> <p>3 yes.</p> <p>4 MR. KESHAVARZ: That's all I</p> <p>5 have.</p> <p>6 REEXAMINATION BY</p> <p>7 MR. GOODMAN:</p> <p>8 Q. Mr. Momplaisir, can you tell me</p> <p>9 how it is that you can recognize these</p> <p>10 photographs, but when I asked you</p> <p>11 previously to describe the father and son,</p> <p>12 you could not do it?</p> <p>13 MR. KESHAVARZ: Objection,</p> <p>14 form.</p> <p>15 Q. You can answer.</p> <p>16 MR. KESHAVARZ: Objection,</p> <p>17 form.</p> <p>18 A. No. I mean, the picture looks</p> <p>19 like them. Yes. Looks like the person I</p> <p>20 talked to.</p> <p>21 Q. Okay.</p> <p>22 The people you talked to, so</p> <p>23 your testimony is the person -- you talked</p> <p>24 to two people, both of them --</p> <p>25 A. Those two people. Looks like</p>	<p style="text-align: right;">Page 119</p> <p>1 P. MOMPLAISIR</p> <p>2 You're free to go.</p> <p>3 (Whereupon, at 1:06 P.M., the</p> <p>4 Examination of this witness was</p> <p>5 concluded.)</p> <p>6</p> <p>7 o o o o</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 118</p> <p>1 P. MOMPLAISIR</p> <p>2 those two people.</p> <p>3 Q. And both of them had a beard at</p> <p>4 the time that you talked to them, correct?</p> <p>5 A. I don't remember.</p> <p>6 Q. Okay.</p> <p>7 And one of them was bald when</p> <p>8 you talked to him, correct?</p> <p>9 A. I don't remember.</p> <p>10 Q. Okay.</p> <p>11 A. But the face look familiar.</p> <p>12 Q. Okay.</p> <p>13 So the first two pictures, they</p> <p>14 look like the same person. One of them has</p> <p>15 a beard, the other one doesn't. On the day</p> <p>16 you say you saw them, did the guy have a</p> <p>17 beard or not?</p> <p>18 MR. KESHAVARZ: Objection,</p> <p>19 form.</p> <p>20 A. I don't remember. But it looks</p> <p>21 -- those two look familiar.</p> <p>22 Q. They look familiar. Okay.</p> <p>23 MR. GOODMAN: I have nothing</p> <p>24 else.</p> <p>25 MR. KESHAVARZ: All right.</p>	<p style="text-align: right;">Page 120</p> <p>1 P. MOMPLAISIR</p> <p>2 D E C L A R A T I O N</p> <p>3</p> <p>4 I hereby certify that having been</p> <p>5 first duly sworn to testify to the truth, I</p> <p>6 gave the above testimony.</p> <p>7</p> <p>8 I FURTHER CERTIFY that the foregoing</p> <p>9 transcript is a true and correct transcript</p> <p>10 of the testimony given by me at the time</p> <p>11 and place specified hereinbefore.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">PAPITO VLADIMIR MOMPLAISIR</p> <p>Subscribed and sworn to before me</p> <p>this ____ day of _____ 20__.</p> <p style="text-align: center;">NOTARY PUBLIC</p>

30 (Pages 117 to 120)

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3	EXHIBITS		
4			
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1 P. MOMPLAISIR
2 CERTIFICATE

4 STATE OF NEW YORK)
: SS.:
5 COUNTY OF RICHMOND)

7 I, ENDI SHERI, a Notary Public for
8 and within the State of New York, do hereby
9 certify:

10 That the witness whose examination is
11 hereinbefore set forth was duly sworn and
12 that such examination is a true record of
13 the testimony given by that witness.

14 I further certify that I am not
15 related to any of the parties to this
16 action by blood or by marriage and that I
17 am in no way interested in the outcome of
18 this matter.

19 IN WITNESS WHEREOF, I have hereunto
20 set my hand this 22nd day of December 2022.

Endi Sheri
ENDI SHERI

1 P. MOMPLAISIR
2 QUESTIONS MARKED FOR RULINGS
3 PAGE LINE QUESTION
4 34 16 "What was the content? What did
5 she say to you, what did you say to her?"
6 41 7 "Well, what did he say to you and
7 what did you say to him?"

1 ERRATA SHEET FOR: PAPITO VLADIMIR MOMPLAISIR
PAPITO VLADIMIR MOMPLAISIR, being duly sworn, deposes and
2 says: I have reviewed the transcript of my
proceeding taken on 12/22/2022. The following
3 changes are necessary to correct my testimony.

5	PAGE	LINE	CHANGE	REASON
---	------	------	--------	--------

6
7
8
9
10
11
12
13
14
15
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17
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22

23 Witness Signature:

Subscribed and sworn to, before me
24 this ____ day of _____, 20 ____

25 (NOTARY PUBLIC) MY COMMISSION EXPIRES

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